

November 8, 2013

South Carolina Supreme Court  
Brenda Shealy/ Chief Deputy Clerk  
1231 Gervais Street  
Columbia, SC 29201

**RECEIVED**

NOV 13 2013

**S.C. SUPREME COURT**

Re: Antonio Gordon # 259798  
2000-CP-46-1414

Ms. Shealy,

I am writing in response to your request to our office for copies of documents from one of Antonio Gordon's Post Conviction Relief cases. The case you are inquiring on is 2000-CP-46-1414.

Our archived cases are being entered into the computer system and being back scanned by another office. There was some confusion with the filing dates entered into our system. Our office has corrected the filing dates in the computer. I apologize for the confusion.

I have enclosed certified copies of the information that you need on this case. I also enclosed the order that transferred venue to Richland County. Please contact me if you need any further assistance.

Thank you,

Leigh Ann Alexander  
Administrative Assistant  
York County Clerk of Court/ Civil Division

STATE OF SOUTH CAROLINA FILED - RECEIVED IN THE COURT OF COMMON PLEAS  
COUNTY OF YORK ) SIXTEENTH JUDICIAL CIRCUIT

2003 DEC 15 PM 4:33

Case Number: 2000-CP-46-1414

ANTONIO GORDON, #259798 )  
Applicant, ) DAVID HAMILTON  
 ) C.C.D. & G.S.  
 ) YORK COUNTY, SC

ORDER

v. )

STATE OF SOUTH CAROLINA, )

Respondent. )

RECEIVED

NOV 13 2013

S.C. SUPREME COURT

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

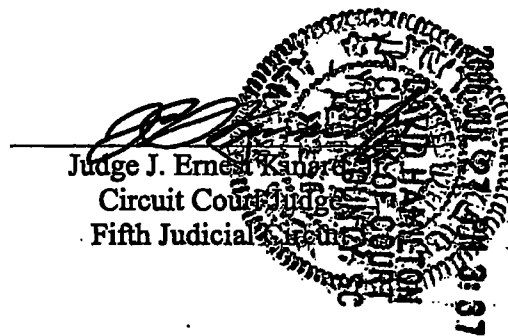
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2013 NOV -8 AM 9:45

This matter came before the Court on the Applicants Motion for Rehearing and/or Motion for Reconsideration of Facts relating to a Post-Conviction Relief ("PCR") hearing on July 29, 2003. This Court dismissed the Applicants PCR application and an Order of Dismissal was signed on August 18, 2003. After careful consideration of the Applicants memorandum, the Motion for Rehearing and/or Motion for Reconsideration of Facts is denied as all issues that were brought before this Court in the PCR application were considered and ruled upon in the initial dismissal. A party may not raise additional issues after the original PCR hearing and seek a rehearing based upon those new issues.

IT IS SO ORDERED

December 9, 2003

Judge J. Ernest Kanare  
Circuit Court Judge  
Fifth Judicial Circuit



CERTIFIED TRUE COPY



**State of South Carolina**  
**The Circuit Court of the Fifth Judicial Circuit**  
**J. ERNEST KINARD, JR.**  
**RESIDENT JUDGE**

FIFTH JUDICIAL CIRCUIT  
POST OFFICE DRAWER 1707  
CAMDEN, SOUTH CAROLINA 29020-1707  
(803)425-7182  
FAX: (803)425-5519

FILED-RECEIVED  
2003 DEC 15 PM 4: 33

DAVID HAMILTON  
C.C.C.P. & G.S.  
YORK COUNTY, SC

December 10, 2003

The Honorable David Hamilton  
Clerk of Court for York County  
P. O. Box 649  
York, South Carolina 29745

CERTIFIED TRUE COPY  
2013 NOV - 8 AM 9: 45  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

RE: Antonio Gordon v. State of S.C.  
00-CP-46-1414

Dear Mr. Hamilton::

Enclosed for filing is the Order in the above referenced matter. Please forward a copy to the Order to the parties of record.

Yours very truly,

Wes Jackson  
Law Clerk to The Honorable  
J. Ernest Kinard, Jr.

wj/

Enclosure

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 00-CP-46-1414

ANTONIO GORDON, #259798

STATE OF SOUTH CAROLINA

PLAINTIFF(S)

DEFENDANT(S)

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial of hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41 (a) SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other \_\_\_\_\_

IT IS ORDERED AND ADJUDGED:  See attached order;  Statement o. Judgment by the Court

**ORDER**

Dated at YORK, South Carolina, this 12<sup>TH</sup> of JANUARY, 2004

S/J. ERNEST KINARD  
PRESIDING JUDGE



This judgment was entered on the 15<sup>TH</sup> ay of DECEMBER, 2003 and a copy mailed first class this 22<sup>ND</sup> day of JANUARY, 2004, to attorneys of record or to parties (when appearing pro se) as follows:

LAURIE ANN BANKER  
SUITE 100  
454 S ANDERSON RD  
ROCK HILL SC 29730

JEANNETTE VANGINHOVEN  
P O BOX 11549  
COLUMBIA SC 29211-1549

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

DAVID HAMILTON  
CLERK OF COURT

SCRPC APP-24

SCRPC FORM 4 (REVISED 5/00)

CERTIFIED TRUE COPY  
 2013 NOV - 8 AM 9:45  
 DAVID HAMILTON  
 CLERK OF COURT  
 YORK COUNTY, SC

00 CP 46-1A14



**CLERK OF COURT'S OFFICE**

P.O. Box 649, York, South Carolina 29745

December 5, 2003

The Honorable J. Ernest Kinard  
Fifth Judicial Circuit  
P. O. Box 1707  
Camden, SC 29020

**RECEIVED**

NOV 13 2013

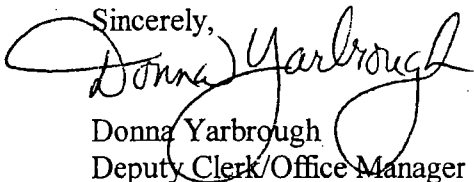
**S.C. SUPREME COURT**

Re: Antonio Gordon -- Motion for Rehearing and/or Motion  
For Reconsideration of Facts

Dear Judge Kinard,

Please find enclosed a copy of the motion from Antonio Gordon he requested our office  
send to you.

Sincerely,

  
Donna Yarbrough  
Deputy Clerk/Office Manager

**Happy Holidays**

FILED-RECEIVED

2003 NOV 25 PM 2:12

Antonio Gordon 259798

FI-A-193

Route 2, Box 100

McCormick, South Carolina 29899

DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

Dear clerk:

I am respectfully writing to your office because I am in need of some help.

Clerk could you please forward the enclosed motion for Rehearing, and or for Reconsideration of facts to the Honorable Kinard.

Furthermore, could you please return me a clock stamped copy of the motion, along with both letters. I thank you in advance for your time.

Sincerely

Antonio Gordon

CERTIFIED TRUE COPY  
2003 NOV -8 AM 9:45  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

FILED-RECEIVED

Antonio Gordon #259798

2003 NOV 25 PM 2:12

McCormick Corr Inst, F1-A-193

Route 2, Box 100

DAVID HAMILTON  
Clerk of Court  
York County, SC

McCormick, S.C. 29899

Appeal ;,,

Daniel T. Stacey

I am respectfully writing to your office because I am in need of some help.

I am Antonio Gordon, I'm currently incarcerated at the McCormick Institution. I filed for Post-conviction Relief June 15, 2000. The state made its return July 29, 2003, at the Richland County courthouse. The parties agreed to change venue from York County to Richland County pursuant to the consent order changing venue signed by Honorable John C. Hayes, III, Due to conflicts with the judges in the sixteenth circuit, this case was transferred to the Fifth circuit in order to conduct the PCR hearing in a more timely matter. The Applicant was present at the hearing and was represented by Tara D. Shurling, Esquire. The Respondent was represented by Jeanette Van Ginhoven of the South Carolina Attorney General office.

Applicant's Post-conviction PCR Relief was denied and dismissed with prejudice by Honorable J. Ernest Kinard presiding judge of the Fifth Judicial circuit. Honorable Kinard signed the order Aug 18, 2003.

CERTIFIED TRUE COPY  
2013 NOV - 8 AM 9:45  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

I am respectfully asking your office to notify the Applicant of the filing of any and all appeals, and of any and all motions the Applicant's attorney Tara D. Shurling have put in on the applicant's behalf. My appealing time limit has ran out, and could affect future appealing. I thank you in advance for the time you have put in this matter.

Sincerely

151 Antonio Gordon

Sworn to and subscribed before

me this 18 day of November 03,

Notary: Bob Anderson

Exp: OCT. 15 2013.

Date: 11-18-03

cc: Clerk of Court

Judge Kinard

Tara D. Shurling, Esquire

Daniel T. Stacey Appellate Defense

FILED-RECEIVED

2003 NOV 25 PM 2:12

DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

Dear Ms. Shurling:

I respectfully request you to file a Motion for Rehearing and/or Motion for Reconsideration of Facts, with the PCR Court. As you recall, I presented you with an argument that I drafted concerning my mental retardation.

I am enclosing a copy of the Psychological Examination Reports that show my IQ was below that of a competent defendant. I am also enclosing a proposed motion that I would like you to file on my behalf. I am only sending you this motion because I realize you represent many clients and are therefore very busy. If you deem it necessary, and you have the time to spare, please feel free to add anything that it is lacking.

I thank you for your time.

Sincerely,

cc: Judge Kinard

STATE OF SOUTH CAROLINA )

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK )

SIXTEENTH JUDICIAL CIRCUIT

ANTONIO GORDON, #259798 )

2000-CP-46-1414

Applicant,

MOTION FOR REHEARING AND/OR

v.

FILED-RECORDED  
2003 NOV 25 PM 2:12  
DAVID HAMILTON  
C.C.P. JUDGE  
YORK COUNTY, SC

MOTION FOR RECONSIDERATION OF FACTS

STATE OF SOUTH CAROLINA )

Respondent. )

JURISDICTION

Comes now the Applicant, by way of his undersigned attorney, or in the alternative, in propria persona, and moves this Honorable Court to grant this Motion for Rehearing and/or Motion for Reconsideration of Facts, pursuant to the procedures provided by the Uniform Post-Conviction Procedure Act, S.C. Code Ann. §§17-27-10 to -120(1985), and the South Carolina Rules of Civil Procedure.

PROCEDURAL HISTORY

This matter comes before the Court by way of an Application for Post-Conviction Relief filed June 15, 2000. The Respondent made its Return on May 2, 2001. An evidentiary hearing into the matter was convened on July 29, 2003, at the Richland County Courthouse. The parties agreed to change venue from York County to Richland County pursuant to the Consent Order Changing Venue signed by the Honorable John C. Hayes, III. Due to conflicts with the judges in the Sixteenth Circuit, this case was transferred to the Fifth Circuit in order to conduct the PCR hearing in a more timely manner. A special order was executed granting the undersigned jurisdiction. The Applicant was present at the hearing and was represented by Tara D. Shurling, Esquire. The Respondent was represented by Jeanette Van Ginhoven of the South Carolina Attorney General's Office.

At the hearing, the Applicant testified on his own behalf. Testifying on behalf of the State was Daniel D'Agostino, Esquire. This Court also had before it a copy of the transcript of the proceedings against the Applicant, the records of the York County Clerk of Court and the Applicant's records from the South Carolina Department of Corrections.

The Applicant is currently confined in the South Carolina Department of Corrections pursuant to the York County Clerk of Court's orders of commitment. On October 15, 1998, the York County Grand Jury indicted the Applicant for murder, three counts of possession of a firearm during the commission of a violent crime, two counts of attempted armed robbery, possession of a firearm by a person under twenty-one, and criminal conspiracy.

On July 16, 1999, the Applicant pled guilty as charged. On July 19, 1999, the Honorable John C. Hayes, III, sentenced the Applicant to thirty years imprisonment for murder, five years for each count of possession of a weapon during the commission of violent crime, ten years for each count of attempted armed robbery, five years for criminal conspiracy, and five years for possession of a weapon by a person under twenty-one years of age. Daniel D'Agostino, Esquire, represented the Applicant.

A timely Notice of Appeal was filed on Applicant's behalf and an appeal was perfected, which the South Carolina Court of Appeals dismissed. State v. Antonio Gordon and Monta Gordon Op. No. 2000-UP-747 (S.C. Ct. App. filed December 6, 2000).

Applicant's PCR application was dismissed by this Court and the Order of Dismissal signed August 18, 2003 by the Honorable J. Ernest Kinard, Presiding Judge, Fifth Judicial Circuit.

## ARGUMENT

The Applicant would bring to this Court's attention the fact that, at the hearing, his attorney, Ms. Tara Dawn Shurling, did not raise all of the issues that were addressed in his PCR application, and that he wrote her extensively about. "After a post-conviction relief order is filed, counsel has an obligation to review the order and file a motion to alter or amend judgement if the order fails to set forth the required findings and reasons for those findings." Code 1976 §17-27-80; Rules of Civ. Proc.; Rules 52(a), (59)(e); U.S.C.A. Const. Amend. 6.

The Court took the opportunity in Pruitt v. State, 423 SE2d 127 (1992), to express its concern with the increasing number of orders in PCR proceedings that fail to address the merits of the issues raised by the applicant. Not only does this deprive the parties of rulings on the issues raised, but it makes review by the appellate court more difficult and ultimately increases the work load of all involved where, as in this case, a new hearing is required to secure the rulings which should have been made initially. Counsel preparing proposed orders should be meticulous in doing so, opposing counsel should call any omissions to the attention of the PCR judge prior to issuance of the order, and the PCR judge should carefully review the order prior to signing it. Even after an order is filed, counsel has an obligation to review the order and file a Rule 59(e), SCRPC, motion to alter or amend, if the order fails to set forth the findings and the reasons for those findings as required by §17-27-80 and Rule (52)(a), SCRPC.

Although counsel did vaguely mention the Applicant's mental status, she failed to argue in detail the issues surrounding the Applicant's mental retardation. Furthermore, Ms. Shurling did not submit into evidence the numerous Psychological Evaluation Reports that were available to trial counsel before and during trial. (See Enclosed Reports). Said reports were written by State employees and reflect that the Applicant had an IQ of 68, which

is mild retardation.

Mental retardation is a condition in which people have substantial limitations in their intellectual abilities. As a result of their intellectual limits, people with retardation experience difficulties in daily activities such as learning, working, and caring for themselves. They also have difficulty with such social skills as understanding other people's behavior or communicating thoughts and feelings. The Stanford-Binnet Intelligence Scale, Fourth Edition, places my test score results in the range of mentally retarded. It also points out, along with several other leading authorities, that the IQ of most persons does not change much from year to year. But scores of some individuals can vary from one test to another.

Applicant further argues that the PCR evidentiary hearing outcome would have probably been different if counsel would have raised and argued these issues fully.

#### CONCLUSION

Wherefore, the Applicant prays this Honorable Court will grant the above motion.

s/ Antonio G. G. G.

Sworn to and Subscribed  
before me this 18 day of November 2013  
Notary: Bob Anderson  
Exp: Oct-15, 2013

PH

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE  
PSYCHOLOGICAL EVALUATION

GORDON, Antonio

#146096

June 21, 1995

REFERRAL STATEMENT:

This student was referred for psychological evaluation as part of the comprehensive evaluation process of the R&E Center. Findings may be used in consultations with social workers or other R&E staff. This report addresses issues of intellectual and academic functioning; personality factors and emotional stability; personal strengths and needs; and services to help change problem behavior and protect the public.

IDENTIFYING INFORMATION:

Antonio is a 13-year-old male who was temporarily committed to the R&E Center pursuant to a court order from the York County Family Court dated 06/12/95. A psychological evaluation was conducted on 06/20/95. There were no specific referral questions.

SOURCES OF INFORMATION:

Wechsler Intelligence Scale for Children-3rd. Ed. (WISC-III)  
Wide Range Achievement Test-Revised (Reading)  
Rotter Incomplete Sentence Blank (ISB)  
Projective Drawings  
Developmental Test of Visual-Motor Integration (VMI)  
Clinical Interview, Behavioral Observation

BACKGROUND INFORMATION:

Prior to his current commitment to the R&E Center, Antonio resided with his natural mother in Rock Hill, S.C. Antonio reported that his natural parents are married. He reported that his father is currently serving a prison sentence in Georgia for a drug related offense. Antonio stated that he has a good relationship with his father. Antonio stated that he has an older brother, age 14, and 2 younger brothers, ages 10 and 1. He reported that his older brother is currently facing charges related to Antonio's present offenses. Antonio stated that he has a good relationship with his siblings. Antonio stated that he gets along well with his mother. He stated that his mother works full time during the day at dry cleaning establishment. He reported that when he misbehaves, his mother places him on restriction as punishment.

During the current school year, Antonio attended Sullivan Middle School, where he was enrolled in remedial classes at the 6th grade level. Antonio reported that he failed the 1st grade due to poor academic performance and behavioral problems. He reported that he has never been enrolled in any special education classes for Emotionally Handicapped or Learning Disabled students. Antonio reported that his grades were not good this year, mostly D's and F's, but he stated that he could do much better if he tried harder. Regarding his behavior at school, Antonio reported that he was given in-school-suspension 6 or 7 times this year for disruptive behavior in the

classroom, and was suspended from school once for the same offense. He also admitted that he cut school about 10 times this year. Due to his behavioral problems, Antonio was expelled from school for the remainder of the year on February 27, 1995.

Antonio's current offenses are 2nd Degree Burglary, 2 counts of Petit Larceny, and Malicious Injury to Property. In October of 1993, he was placed on 3 months probation for Attempted Burglary. He was released from probation in February of 1994. Antonio stated that he has tried alcohol, but he denied drinking on a regular basis. He denied any use of drugs or inhalants. Antonio stated that he has never received any treatment for emotional or behavioral problems in the past.

#### BEHAVIORAL OBSERVATIONS:

Antonio is a 13-year-old black male who is average in height and weight for his age at 5'4" and 111 lbs. He was well groomed and neatly dressed in institutional clothing. His speech was logical and coherent, and there was no evidence of any loosening of associations or delusional thought processes. He denied experiencing any auditory or visual hallucinations. His affect was appropriate to the content of his speech. Overall, his mood was judged to be euthymic, and he did not appear to be significantly anxious or depressed. Antonio reported that his sleep and appetite patterns have been normal. At the time of the evaluation, Antonio did not voice any suicidal or homicidal ideation, and he appeared to be in good physical health. Memory, judgment, concentration, and overall level of motor activity all appeared to fall within normal limits.

Antonio was polite and cooperative throughout the evaluation. He maintained good eye contact and provided adequate amounts of information in response to the evaluator's questions. He appeared to put forth a good effort on the psychological testing. Regarding his current offenses, Antonio stated that they occurred on two separate occasions. Antonio stated that he was charged with Burglary and Petit Larceny because he was with several of his friends when they broke into a vacant building, and then they punched a hole in the wall and entered a store that was next door. He reported that they stole about a dozen pair of athletic shoes. Antonio stated that his charges of Malicious Damage to Property and Petit Larceny occurred when he was with his older brother and several other friends, and they broke into a car and stole a cellular phone. Antonio stated that he feels badly about what he did, and he hopes that the judge will give him another chance to straighten himself up.

#### TEST RESULTS AND INTERPRETATION:

On the WISC-III, Antonio obtained a Full Scale IQ of 68, which is a composite of Verbal (VIQ = 72) and Performance (PIQ = 69) skills. His overall performance placed him in the Borderline/Mildly Mentally Retarded range of general intellectual abilities. The difference between his Verbal and Performance IQ scores is not significant, and there were no outstanding areas of strengths or weaknesses on the individual subtests. Based on behavioral

observations, Antonio's lack of intellectual functioning appears to be mainly due to sociocultural factors and a lack of education, rather than true mental retardation. On the Reading subtest of the WRAT-R, Antonio performed at a grade level equivalent of less than 3rd grade, which translates into an age-derived Standard Score of 67. This score is commensurate with his Verbal IQ. On the VMI, he obtained a Standard Score of 88, which is somewhat above his IQ and suggests that this is an area of strength for him.

Projective testing and clinical interview impressions did not indicate the presence of any serious mental illness. Test results and clinical interview impressions suggest that Antonio appears to be a somewhat socially and emotionally immature young man. He appears to have very poorly developed internal controls over his impulses, and he appears to be easily influenced by his peers, especially his older brother. His human figure drawings were very immature in their appearance, suggesting limited coping skills. Antonio appears to use projection of blame onto others as his primary defense mechanism, which interferes with his taking responsibility for his inappropriate behavior. In addition, it appears that his mother is lacking in the necessary parenting skills to control her children's behavior. On the positive side, he has good intellectual and verbal skills, and he appears to be willing to work on learning to control his impulsive, aggressive behavior.

#### STRENGTHS, NEEDS, AND SERVICE RECOMMENDATIONS:

##### STRENGTHS:

1. Antonio has adequate intellectual skills to complete high school and benefit from job skills training or attendance at a technical college.
2. Antonio appears willing to seek out counseling to help him learn how to better control his impulsive, aggressive behavior.

##### SERVICE NEEDS:

1. Keep behavior and community activity within acceptable limits.
2. Decrease impulsive, aggressive behavior.
3. Improve mother's parenting skills.

##### SERVICE RECOMMENDATIONS:

1. Antonio would benefit from a strict set of written guidelines for his behavior in the community, and his compliance should be monitored on a regular basis.
2. Antonio would benefit from individual and/or group psychotherapy which focuses on helping him develop appropriate impulse control mechanisms, as well as improving his sense of self-esteem.
3. Antonio's mother would benefit from referral to a Parent Effectiveness Training program.

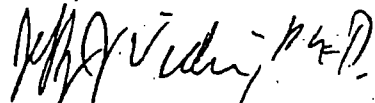
#### DIAGNOSTIC IMPRESSIONS:

GORDON, Antonio

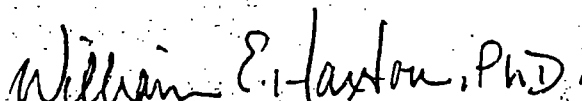
#146096

June 21, 1995  
Page 4

Axis I, 313.81, Oppositional Defiant Disorder, Moderate  
Axis II, V40.00, Borderline Intellectual Functioning  
Axis III, deferred



Jeffrey Vidic, Ph.D.  
Licensed Clinical Psychologist



William Haxton, Ph.D.  
Supervising Psychologist

CONFIDENTIAL

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE  
Psychological Evaluation

Gordon, Antonio

#146096

February 12, 1997

**Referral Statement:**

This student was referred for psychological evaluation as part of the comprehensive evaluation process of the Reception & Evaluation Center. Findings may be used in consultation with social workers or other R&E staff. This report addresses issues of intellectual and academic functioning; personality factors and emotional stability; personal strengths and needs; and services to help change problem behavior and to protect the public.

**Identifying Information:**

Antonio is a 16-year-old African American male committed to the R&E Center on January 27, 1997 by the York County Family Court. The current psychological evaluation was conducted on 2/8/97 and 2/10/97.

**Sources of Information:**

Peabody Individual Achievement Test-Revised (PIAT-R) (Reading Comprehension subtest)  
Street Survival Skills Questionnaire (SSSQ)  
Rotter Incomplete Sentences Blank-High School Form (ISB)  
Mooney Problem Checklist  
Developmental Test of Visual-Motor Integration (VMI)  
File Information  
Clinical Interview  
Behavioral Observations  
Psychological Evaluation (R&E, 6/21/95)

**Background Information:**

Prior to his evaluation at R&E, Antonio reported that he lived with his maternal grandfather, his aunt, cousin and two brothers, ages 3 and 12. He stated that he lived with his mother until he was 12 years old and then moved in with his grandfather for "peace and quiet". Antonio reported that his grandfather lives in the country and that it is quieter for him and he feels he will not get in trouble as he felt he would in Rock Hill, where his mother lives. He stated that he sees his mother each week. Antonio reported that his mother and father are married and that he lived with both of them until he was 11 years old, which was when his father was incarcerated. He said that he did not know why his father was incarcerated and that he last saw his father in November of 1996. Antonio reported that he gets along well with his family. He denied ever being physically or sexually abused.

Antonio reported that he enjoys playing all sports. He stated that he has tried alcohol and that at age 13, he began smoking marijuana and that he currently smokes on Fridays. He stated that he became sexually active at the age of 12 and that he has always used protection while having sex, except with his current girlfriend. Antonio reported that his girlfriend is currently pregnant and expecting in August.

Antonio reported that he is currently in the 8th grade. He stated that he has been attending Rebound School since August of 1996, but that he is currently expelled for "problems on the bus". Antonio reported that he failed the 1st grade. He stated that his current grades are A's, B's, and C's. Antonio reported that he would like to go to college and become a construction worker. He said that he hopes to get a job soon so that he can help support his girlfriend.

Antonio reported that initially he had a difficult time adjusting to R&E. However, he stated that he felt more recently, that he has adequately adjusted and that his sleep, appetite, and concentration have been good. He reported that he has less energy than usual. Antonio denied ever having suicidal ideation. He also denied any history of major illnesses or mental health counseling.

In regard to the charge of Assault and Battery, which resulted in his evaluation at R&E, Antonio reported that he and another boy were "playing" at school and that he was running from the boy and ran into a police officer and knocked him down. Antonio said that he did not mean to run into the officer. Antonio was previously incarcerated at R&E in June of 1995 for the charges of Malicious Injury to Property, Burglary, Petty Larceny (2 counts).

#### **Behavioral Observations:**

Antonio's height and weight are 5'8" and 135 lbs., respectively. Rapport was fairly easily gained with Antonio. Antonio was cooperative throughout the evaluation and occasionally attempted to engage the examiner in conversation. Antonio appeared to approach each task in a conscientious manner. Eye contact was good. Antonio appeared to be in a good mood and was noted to laugh often. As discussed above, Antonio denied any current or past suicidal ideations. There was no indication of psychosis.

#### **Test Results and Interpretations:**

On the WISC-III, administered at the R&E Center in June of 1995, Antonio obtained a Full Scale IQ of 68, placing him at the 2nd percentile and in the Intellectually Deficient range. His Verbal IQ of 72 placed him at the 3rd percentile and his Performance IQ of 69 placed him at the 2nd percentile. Overall, it appears as if Antonio's nonverbal and verbal skills are evenly developed. Individual subtest scores were as follows:

<u>Verbal</u>		<u>Performance</u>	
Information	4	Picture Completion	6
Similarities	4	Coding	6
Arithmetic	7	Picture Arrangement	3
Vocabulary	5	Block Design	4
Comprehension	5	Object Assembly	-

Antonio completed the SSSQ, a measure of his adaptive skills. He obtained a Survival Skills Quotient of 95, which fell within the Normal range. Taken in tandem, IQ and adaptive measures suggest that overall, Antonio is in the Borderline range of functioning.

Antonio's PIAT-R results indicate that his Reading Comprehension skills are at a 2.1 grade level (SS=55; <1 percentile). This suggests that his ability comprehend passages of text is below what would be expected considering his overall verbal ability, as measured by the WISC-III. Therefore, reading comprehension appears to be a weakness for Antonio.

On a test of visual-motor integration, the VMI, Antonio performed at an age equivalent of 11 years and 8 months. His VMI Scaled Score of 89 placed him at the 23rd percentile. Antonio's performance on the VMI is higher than what would be expected given his overall nonverbal ability, as measured by the WISC-III, suggesting that he has optimized his innate capacities in this area.

Although Antonio revealed very little information regarding his personal feelings, results from the clinical interview and personality measures revealed that much of Antonio's current thoughts are taken up with his concerns regarding his pregnant girlfriend. When asked what was troubling him most, one of Antonio's written responses concerned his girlfriend being pregnant and his fear that she may get hurt. In addition, on the ISB, Antonio completed the written sentence stem, "My greatest worry is" with "my girlfriend is getting hurt", the stem, "I want to know" with "how are[is] my girlfriend doing", and the stem, "At bedtime" with "I be thinking how my child [is] going to act". Antonio expressed that he is feeling a bit "scared" about his girlfriend being pregnant and that he has a desire to help support the child.

#### Strengths:

1. Antonio can be a friendly individual.
2. Antonio reported that would like to attend college.

**Needs:**

1. To learn to obey the rules and laws.
2. To complete his education; Education that focuses on his particular academic strengths and weaknesses. To determine and work toward his career and educational goals.
3. To learn to appropriately deal with interpersonal conflict and to improve his decision-making skills.
4. To learn the dangers of using marijuana and to curtail his use of this substance.
5. To acquire effective parenting skills and to access necessary child-rearing resources.
6. To benefit from positive role models.

**Services:**

Close supervision, limit setting, and structure in his daily environment; consequences for inappropriate behavior and rewards for appropriate behavior.

Particular attention to the remediation of his verbal (reading) skills. Consultation with school guidance counselor to aid Antonio in determining and planning for a career path that suits him. Vocational training may be indicated.

Group or individual counseling, congruent with his intellect, that provides Antonio with conflict resolution skills and the opportunity to process his feelings.

Drug education and participation in a treatment program for adolescents who use illegal drugs.

Enrollment in a parent training program and referral to agencies which will assist him in providing for the needs of his child.

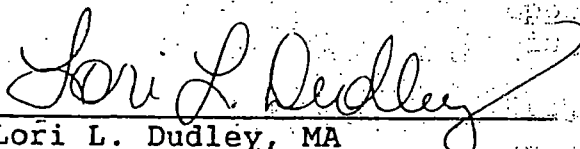
Participation in a mentor program such as Big Brother's.

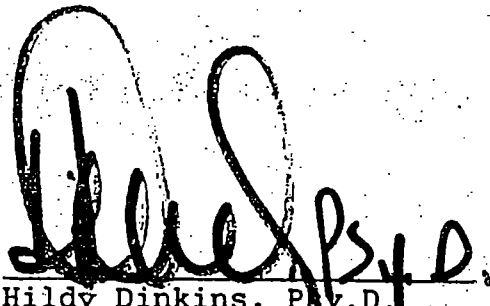
Diagnostic Impressions (DSM-IV):

Axis I:           312.9       Disruptive Behavior Disorder Not  
  Otherwise Specified  
  Consider Emerging Conduct Disorder  
                  305.20       Cannabis Abuse

Axis II:           V62.89       Borderline Intellectual Functioning

Axis III:          No diagnosis

  
Lori L. Dudley, MA  
Psychology Graduate Assistant

  
Hildy Dinkins, Psy.D.  
Supervising Psychologist

Transition Unit Summary Recommendations

MIS#: 146096 SSN:  
Last Name: GORDON

Medicaid #:  
First Name: ANTONIO

Program Recommendations: ALCOHOL/DRUG EDUCATION/ANGER MANAGEMENT/IMPULSE  
CONTROL/VALUES CLARIFICATION/CONFLICT RESOLUTION

Medical: ALLERGIC TO BEE STINGS.

Current Medications:

Limiting Physical Conditions: PASSED HEARING. 20/20 VISION

Treatment Needs:

Limiting Mental/Psychological Conditions: FULL SCALE IQ: 68

Recommendations:

Special Needs:

504 Requirements: INDIVIDUAL/GROUP COUNSELING

Education: (see attached class schedule). Chapter I eligible:

READING LEVEL: 4.2; MATH LEVEL: 3.6

Special Educ. Placement:

Speech Screening:

Interim IEP:

Voc. Rehab.

Occupational Interests: AUTOBODY

Comments: HAS SMOKED MARIJUANA IN THE PAST. VERY EASILY ANGERED. HAS ASSAULTED  
A POLICE OFFICER AT YORK COUNTY ALTERNATIVE SCHOOL. PRIOR MENTAL HEALTH  
COUNSELING.

CURRENT OFFENSE: PETTY LARCENY

Facility Assignment: NORTHEAST CENTER

PAROLE GUIDELINES: 1-3

RISK/CATEGORY: 9/VI

SCHOOL ASSIGNMENT: 9TH

STAFFING DATE: 10-16-97

Special Program Eligibility:

Parole Guidelines:

SUBCLASS: NO

Next Staffing Date:

Antonio Gordon

Juvenile Signature

10-16-97

Date

William D. Lee

Chairperson Signature

10-16-97

Date

----- \*\*\*\*\* -----

# CATAWBA COMMUNITY MENTAL HEALTH CENTER

166 Dotson Street, Rock Hill, South Carolina 29732  
Phone: (803) 327-2012 Fax: (803) 329-7141 - Administration  
Fax: (803) 327-4198 - Clinical

Catawba Family Center  
1013 Charlotte Avenue  
Rock Hill, S.C. 29732  
Phone: (803) 329-3177  
Fax: (803) 329-3319

Chester Office  
118-120 York Street  
Chester, S.C. 29706  
Phone: (803) 581-8311  
Fax: (803) 385-2440

Lancaster Office  
210 N. Pine Street  
Lancaster, S.C. 29720  
Phone: (803) 285-7456  
Fax: (803) 285-5514

## PSYCHIATRIC EVALUATION

CATAWBA FAMILY CENTER

Antonio Gordon

DATE OF EVALUATION: 5/9/97

CHIEF COMPLAINT: "Am I crazy?"

HPI: Antonio is a fifteen-year-old black male who requested to see the psychiatrist for evaluation of his behavior problems. The patient is currently receiving individual and group therapy at Catawba Family Center and is referred for a PMA. The patient has had behavior problems throughout most of his life, generally involving aggression and oppositionality. He has had problems with fighting and threatening people resulting in suspensions in the second, fourth and fifth grades. Second grade suspension was secondary to cursing teacher, fourth grade suspension secondary to fighting and fifth grade suspension secondary to threatening principal. He had passed all grades until the sixth grade and during sixth grade has had increased behavior problems with much increased aggressive behavior and oppositionality. He states he has been in multiple fights which prompted his placement in Rebound School this year. He attended Rebound for two to three months until he was kicked out secondary to fighting. The patient was involved in a fight which was broken up by a police officer and patient was charged with assault and battery. The next day patient assaulted the police officer who had arrested and charged him the day before. As a result, he was kicked out of school and subsequently went to R&E in Columbia for twenty-eight days from which he was released on 2/26/97. The patient has been on probation since with no violations thus far. The patient states he wants to be evaluated to determine "if I'm crazy." The patient states he has a very quick temper and that when angered he will "go crazy." The patient states if threatened or teased he will become angry and will be ready to fight. He states if a fight isn't broken up he would be willing to "kill someone." The patient is currently living with grandfather, aunt, cousin, and two brothers. He says he is "just hanging out" currently. He is expelled from school for the rest of the year. DJJ is currently working on hooking patient up with a mentor. The patient denies feeling depressed stating mood is "happy." He denies any neurovegetative symptoms of depression reporting good sleep, appetite, energy, concentration, and interest. The patient reports he smokes marijuana approximately every other day and drinks one to three beers about once a month. He states he is sexually active and has

CATAWBA FAMILY CENTER

Antonio Gordon

5/9/97

Page 2

unprotected sex stating "I won't catch anything." He states he had a HIV test at the Health Department in December of 1996 which he says was negative. The patient denies history of manic symptoms although he says he stayed up all night two night in a row and the third night slept only one hour. He states he was playing cards with friends who also stayed up during this time and that afterwards he slept all night the next night. At that time he denied increased energy, racing thoughts, abnormal behavior or psychotic symptoms. The patient denies history of SI/HI or A/VH. The patient states he would like to control his temper and is not interested in taking any medications. The patient reports no difficulty in attention or concentration in school. He states he could always complete tasks if he wanted to.

PAST PSYCH HISTORY: Is unremarkable.

PAST MEDICAL HISTORY: Patient denies having any chronic medical illnesses except notes that he has stuttered most of his life secondary to a "bump on my tongue." The patient also reports chronic left knee pain secondary to a football injury several years ago. He is on no medications and denies drug allergies.

FAMILY HISTORY: Patient unsure of most of family history. Unsure if mother has any psychiatric or medical problems. Notes father currently in jail in Georgia for last three years due to be released in 1998. Unsure why father in jail but states he's had problems similar to patient's of trouble with aggressiveness and fighting.

SOCIAL HISTORY: Patient lived with mother and father until about age ten when he moved to live with grandfather. Patient unclear why he moved in with grandfather. Patient now lives with grandfather, his aunt, his cousin, and two brothers. Patient notes history of physical abuse from father and mother of being slapped with cords, belts, and switches such that on occasion they had left scars. The patient states he never feared for his life. Patient denies history of sexual abuse. Patient reports smoking marijuana approximately every other day, drinks one to three beers once a month and smokes five cigarettes per day. Patient sexually active, unprotected as in HPI.

DEVELOPMENTAL HISTORY: Unknown. Records indicate a full scale IQ of 68.

MENTAL STATUS EXAM: Moderately well groomed black male in sweat pants, tee shirt and baseball cap. During interview, he intermittently makes eye contact then hangs head. Patient fidgety in seat. Speech is somewhat difficult to understand secondary to mumbling and stuttering. Mood is "happy." Affect is congruent and bright. Patient is alert and oriented times four. Thought processes are linear and logical. Thought content: denies SI/HI, A/VH. There is no evidence of psychosis or mania. Patient can spell "world" forwards and backwards, remembers three of three objects at zero and five minutes and is able to make change for a dollar. Patient unable to do serial sevens stating he has to count on his fingers. Insight is fair and judgment is poor.

CATAWBA FAMILY CENTER  
Antonio Gordon  
5/9/97  
Page 3

ASSESSMENT: A fifteen-year-old black male with long history of behavior problems in school which have severely worsened over the last year such that he has had legal problems and spent twenty-eight days in R&E in this past year. The patient grew up in a physically abusive environment and father has history of violence, aggression and legal problems. Patient's signs and symptoms are consistent with conduct disorder. Patient also abusing marijuana, tobacco and possibly alcohol. He is also at risk for sexually transmitted diseases secondary to history of unprotected sex. The patient does not currently have symptoms consistent with depression, mania, psychosis, or an anxiety disorder. Medication treatment is not indicated at this time. Patient appears to be benefiting some from group therapy and individual treatment as he has been able to be compliant with probation since 2/26.

AXIS I - Conduct disorder, marijuana abuse, nicotine abuse, rule out alcohol abuse.

AXIS II - Deferred.

AXIS III- Stuttering secondary to "bump on tongue."

AXIS IV - Moderate to severe based on recent legal difficulties and expulsion.

AXIS V - 50.

PLAN:

1. Patient can be treated outpatient as he does not currently represent danger to self or others.
2. Medication treatment is not indicated at this time. If patient continues to have difficulty with aggression and impulse control despite group and individual therapy, an antidepressant or mood stabilizer could be considered in the future for treating aggression and lability if the patient desires it.
3. Continue in individual and group therapy.
4. PMA prn.
5. Patient should receive testing for sexually transmitted diseases including HIV if a record of testing at the Health Department cannot be located.



Paul Everman, M.D.

"Reviewed for accuracy only when signed."

PE:bc

D/T: 5/13/97

## DISCHARGE SUMMARY SHEET

1. a. PATIENT'S NAME AND I.D.#

Antonio Gordon 97-85909

b. DATE SERVICE BEGAN

4-7-97

c. DATE SERVICE ENDED

10-14-97

2. SUMMARY OF SERVICE RENDERED (Include list of psychotropic medications with dose, response and complications)

Care Coordination x 1

Assessment x 2

Group x 6

PMA x 1

3. REASON FOR TERMINATION OF SERVICE

© committed to DJJ & also didn't request further services after completion of group

1. RESULTS OF SERVICE AND CONDITION ON DISCHARGE

© began services in CFC to complete conflict management group & he did so. However, © got charged in stealing a bike & judge committed him to DJJ in concerns for ©'s inability to read well & stay out of trouble.

DISCHARGE DIAGNOSIS

312.82 Conduct Disorder

RECOMMENDATIONS AND FOLLOW-UP PLANS (REFERRALS, ETC.)

DJJ will be involved & © may be transferred to Maine Institute program from DJJ Institution  
Follow up survey sent to CF.

SIGNATURE TITLE & DATE OF PROVIDER CLOSING RECORD

*[Signature]*

# PHYSICIAN'S MEDICATION ORDERS AND SERVICE NOTES

PATIENT'S NAME AND I.D. #

*Antonio Gordon 97-85909*

a. MEDICATIONS PRESCRIBED THIS VISIT BY CENTER PHYSICIAN  
NAME OF MEDICATION

*∅*

b. LIST ALL OTHER CURRENT MEDICATIONS AND SUBSTANCES  
(CENTER & NON-CENTER)

*∅*

c. PHYSICIAN'S SERVICE NOTES

*A) Conduct D/O, MJ abuse, Nicotine abuse, R/O ETOH abuse*

*P) 1) ∅ meds*

*2) continue GTP/individ TX*

*3) PMA PRN if Pt ∅ better to 2) and requests meds - could try SSRI to b aggressive*

*4) Blood tests for STDs if ∅ done @ Health Dept*

*Plenny RD 5/9/97*

d. SIGNATURE AND DATE

a. MEDICATIONS PRESCRIBED THIS VISIT BY CENTER PHYSICIAN  
NAME OF MEDICATION

b. LIST ALL OTHER CURRENT MEDICATIONS AND SUBSTANCES  
(CENTER & NON-CENTER)

PHYSICIAN'S SERVICE NOTES

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #8 HERE

down & avoid negative results. @ showed interest in DA's dictation & I read it to him. @ asked a few ?'s & even asked for a copy to take home. Perhaps no one has taken an interest in @ & although he's only required to have one more session I wonder if he'll resist closure. MJD

firmly to exposed adhesive. Be sure reports are evenly aligned to insure neatness.

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #8 HERE

CLINICAL SERVICE NOTES

Batch #

I met c @ at CFC to review information he had missed from 2 sessions of Conflict Management. c @ reports he quit smoking cigarettes. We reviewed feelings related to conflict & physical responses. c @ reports the following are responses he has: 1) get flustered 2) foul language 3) fight 4) raise voice 5) stutter 6) sweaty palms. I talked c @ about recognizing these symptoms & backing off to allow himself to calm.

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title Mr. C. J. Jaraman MEd /ID# 43625

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #8 HERE

CLINICAL SERVICE NOTES

Batch # \_\_\_\_\_

*called*  
@ rescheduled b/c his mentor worker  
hadn't show up for his transportation

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title Mary Jo Jaworew, MEd ID# 4362

Date 7-10-97 Svc Code 02 Desc Assessment Can/NS 3 Bill Time Ø

Ticket # 5020076 CID 97-85909 Name Mendon, Antonio  
Audit # 36 159746

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #8 HERE

CLINICAL SERVICE NOTES

Batch # \_\_\_\_\_

© rescheduled due to transportation problems

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title Mary Jo Dawson MEd ID# 4362

Date 7-18-97 Svc Code 03 Desc Med Tx Can/NS 3 Bill Time Ø

Ticket # 5026122  
Audit # 36 159790 CID ~~778-97~~ 97-85909 Name Morden, Antonio

Date 7-10-97 Svc Code 02 Desc Assessment Can/NS 3 Bill Time Ø

Ticket # 5026076  
Audit # 36 159746 CID 97-85909 Name Morden, Antonio

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

peers & by himself. We talked about @'s hopes for the future & what he could do now to work towards his goals. I asked @ what he has learned from conflict management group & he said: "1) Keep my hands to myself & 2) talk to people better & 3) stay in school. I asked @ if @ had any other needs or goals we could work on & he said he wanted to meet again. I asked @ to think about specific goals & take the responsibility of calling me for appointment. He agreed to do so. (M.P.)

Batch #:

CLINICAL SERVICE NOTES

no call  
no show

Time Service Provided

AM PM

Next Appt.

Time

AM PM

Staff Signature/Title

Mary Jo Dawson, MEd

ID#

4362

Date

7-31-97

Svc Code

03

Desc

Ind Jx

Can/NS

1

Bill Time

0

Ticket #

5573746

Audit #

36 175257

CID

97-85909

Name

Gordon, Antonio

Date

7-18-97

Svc Code

03

Desc

Ind Jx

Can/NS

3

Bill Time

0

Ticket #

5026122

Audit #

36 154790

CID

~~418-97~~ 97-85909

Name

Gordon, Antonio

Date

7-10-97

Svc Code

02

Desc

Assessment

Can/NS

3

Bill Time

0

Ticket #

5026076

Audit #

36 154746

CID

97-85909

Name

Gordon, Antonio

Date

7-11-97

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #8 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #7 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #6 HERE

Batch # \_\_\_\_\_

CLINICAL SERVICE NOTES

met c @ at CFC as his last required meeting since he missed some classes from conflict management. @ told me he had a job interview this afternoon at McDonald's & we talked about appropriate behavior for an interview as well as @'s expectations of having a job. @ reports he has been making good choices & avoiding fights & negative behaviors among

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title \_\_\_\_\_ ID# \_\_\_\_\_

Date \_\_\_\_\_ Svc Code 03 Desc Assessment Can/NS \_\_\_\_\_ Bill Time 60

Ticket # 5573871 Audit # 36 175312 CID 97-85909 Name Gordon, Antonio

Date 7-13-97 Svc Code 03 Desc Indx Can/NS 1 Bill Time 0

Ticket # 5573746 Audit # 36 175257 CID 97-85909 Name Gordon, Antonio

Date 7-18-97 Svc Code 03 Desc Indx Can/NS 3 Bill Time 0

Ticket # 5026122 Audit # 36 159790 CID ~~97-85909~~ 97-85909 Name Gordon, Antonio

Date 7-10-97 Svc Code 02 Desc Assessment Can/NS 3 Bill Time 0

Ticket # 5026076 Audit # 36 159746 CID 97-85909 Name Gordon, Antonio

Date 7-11-97 Svc Code 02 Desc Assessment Can/NS 3 Bill Time 0

Ticket # \_\_\_\_\_ Audit # \_\_\_\_\_ CID \_\_\_\_\_ Name \_\_\_\_\_

talking - he complained about transportation issue (he told us he had to walk home) but I was glad he stayed for group even though he was dropped off early. © seemed to be trying hard to impress peers. MJO

Batch #

CLINICAL SERVICE NOTES

© brought © to CFC to fill out paperwork & gather background info. They were late so I was unable to take time to assess ©. I did explain purpose of group & what we'd be discussing (anger control problem solving, communication & other relevant issues). © expressed concern for transportation & we talked about how to get help for that from wrap around services provided by DHS.

Time Service Provided

AM PM

Next Appt.

Time 7:45 AM PM

Staff Signature/Title

M. K. ... MEd

ID# 4562

4.7.97

when they use these. We also worked on some situations in which stories of adolescents getting in trouble presented the issue of when the problem started. I hoped members would be able to look at situations and make decisions that would avoid small problems becoming larger.

*(C) shared his experiences about fighting to solve problems & talked about this as if he felt this was a good choice MGO*

Batch # \_\_\_\_\_ CLINICAL SERVICE NOTES

tonight was our first group and I had to explain to the members what this group was about and what we should achieve. I asked members to define conflict and they were apparently unable to do this. So I attempted to explain the definition to them and tried to get them to look at areas of conflict in their own life (at home or school or in neighborhood, etc). Members introduced themselves and told their reasons for being here (probation for assault and battery, etc.) Members also talked about drug use and other issues. I urged them to participate so group could be more interesting to them and they could relate. Members spent a great deal of time talking with each other about their behaviors and were somewhat disruptive. Next time I will use more direct structure for them to stay focused. *(C) was disruptive but did most of the →*

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title *McDonarom, med* ID# *4362*

Date *4-10-97* Svc Code *05* Desc *MPTA* Can/NS \_\_\_\_\_ Bill Time *90*

ticket # *4942881* Audit # *35* 150842 CID *97 85909* Name *McDonarom, Antonia*

gestures, posture, etc. © was most talkative today but doesn't seem to take issues seriously. Perhaps he's too concerned w/ what peers think. MGD.

Batch #

CLINICAL SERVICE NOTES

In our second group session, I began by having members fill out a social adjustment scale to have them be aware of things going on in their lives that may be causing them stress. Most members report to be having some level of stress so we talked about how they could reduce stress. I told members to be aware of how these issues may affect how they treat other people. I also talked about the importance of realizing that everyone will not always be aware of or concerned with how you feel and so may do things that increase your stress w/o even realizing it. We talked about situations of conflict at parties, in the neighborhood and in school. The issue of choices and consequences came up when one member wanted to leave the group. I reviewed three ways to handle conflict (denial, confrontation, or problem solving). I'm not sure members are at the point to decipher

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM  
 Staff Signature/Title M. Gordon, MEd ID# 4362  
 Date 4-17-97 Svc Code 05 Desc Up Jk Can/NS \_\_\_\_\_ Bill Time 90  
 Ticket # 4942910  
 Audit # 35 150871 CID 97-85909 Name Gordon, Antonio

Date 4-10-97 Svc Code 05 Desc Up Jk Can/NS \_\_\_\_\_ Bill Time 90  
 Ticket # 4942881  
 Audit # 35 150842 CID 97-85909 Name Gordon, Antonio

CLINICAL SERVICE NOTES

Batch #

① attended group & we talked about listening skills & how not listening or paying attention can lead to conflict. We discussed nonverbal behaviors that prove you're listening (eye contact, posture, etc.) Some members talked about being upset when others assume you're not listening just b/c you're not looking at them. ② continues to participate in group & he most verbal (even if sometimes he talks about things not related to group). We also addressed

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title Mary Jo Harmon, MEd ID# 4362

Date 5-1-97 Svc Code 05 Desc Mp Jk Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942962

Audit # 36 150921 CID 97-85909 Name Gordon, Antonio

Date 4-24-97 Svc Code 05 Desc Mp Jk Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942939

Audit # 36 150900 CID 97-85909 Name Gordon, Antonio

Date 4-17-97 Svc Code 05 Desc Mp Jk Can/NS \_\_\_\_\_ Bill Time 45

Ticket # 4942910

Audit # 36 150871 CID 97-85909 Name Gordon, Antonio

Date 4-10-97 Svc Code 05 Desc Mp Jk Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942881

Audit # 36 150842 CID 97-85909 Name Gordon, Antonio

fear, taking chances, what others think of you, picking  
 on weaker people, using weapons. One of things I'm also  
 trying to teach @ is some manners such as asking for  
 something properly & politely & he adjusts his behavior  
 well.

Batch #

CLINICAL SERVICE NOTES

tonight we talked about listening skills and how you handle someone telling  
 you something you don't want to hear. Some said they could block it out or  
 walk away. We talked about this being a part of conflict and how some  
 fights get started. I told group about body language and nonverbal  
 communication and how your emotions can and do affect your behavior. I  
 asked members how they could tell how someone else feels. Members seemed  
 able to tell if someone was mad or sad but I'm not sure they know what to  
 do with this information. I asked group what they did if someone doesn't  
 listen and they told me they don't talk to people much b/c people are  
 nosy. It seems these adolescents have an issue trusting people with  
 information. I also addressed the issue of how you say something is  
 important too. The nonverbals I mentioned were: facial expressions,

Time Service Provided

AM PM

Next Appt.

Time

AM PM

Staff Signature/Title

*M. J. Javonken MEd*

ID#

4362

Date

4-24-97

Svc Code

05

Desc

*MP JK*

Can/NS

Bill Time

90

Ticket #

4942939

Audit #

33 150900

CID

97-85909

Name

*Gordon, Antonio*

Date

4-17-97

Svc Code

05

Desc

*MP JK*

Can/NS

Bill Time

40

Ticket #

4942910

Audit #

33 150871

CID

97-85909

Name

*Gordon, Antonio*

Date

4-10-97

Svc Code

05

Desc

*MP JK*

Can/NS

Bill Time

90

Ticket #

4942881

Audit #

33 150842

CID

97-85909

Name

*Gordon, Antonio*

4-7-97

Batch #

CLINICAL SERVICE NOTES

© called  
Cancelled b/c he had no ride

Time Service Provided

AM PM

Next Appt.

Time

AM PM

Staff Signature/Title

Marilyn Kamboran, MEd

ID# 4302

Date 5-8-97

Svc Code 05

Desc Mp Jk

Can/NS 2

Bill Time 0

Ticket # 4942992

Audit # 36 150953

CID

97-85909

Name

Mardon, Antonio

Date 5-1-97

Svc Code 05

Desc Mp Jk

Can/NS

Bill Time 40

Ticket # 4942960

Audit # 36 150921

CID

97-85909

Name

Gordon, Antonio

Date 4-24-97

Svc Code 05

Desc Mp Jk

Can/NS

Bill Time 90

Ticket # 4942939

Audit # 36 150900

CID

97-85909

Name

Gordon, Antonio

Date 4-17-97

Svc Code 05

Desc Mp Jk

Can/NS

Bill Time 45

Ticket # 4942910

Audit # 36 150871

CID

97-85909

Name

Gordon, Antonio

Date 4-10-97

Svc Code 05

Desc Mp Jk

Can/NS

Bill Time 90

Ticket # 4942881

Audit # 36 150842

CID

97-85909

Name

Mardon, Antonio

Batch # \_\_\_\_\_

CLINICAL SERVICE NOTES

Notes being dictated

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_

Staff Signature/Title Plummer, ND ID# 2495 Time \_\_\_\_\_ AM PM

Date 5-9-97 Svc Code 12 Desc PMA Can/NS \_\_\_\_\_ Bill Time 060

Ticket # \_\_\_\_\_ Audit # 4609249 CID 97-85909 Name Yordan, Antonio Dr E

Date 5-8-97 Svc Code 05 Desc MP Jk Can/NS 2 Bill Time 0

Ticket # 4942992 Audit # 36 150953 CID 97-85909 Name Mardon, Antonio

Date 5-1-97 Svc Code 05 Desc MP Jk Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942960 Audit # 36 150921 CID 97-85909 Name Gordon, Antonio

Date 4-24-97 Svc Code 05 Desc MP Jk Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942939 Audit # 36 150900 CID 97-85909 Name Gordon, Antonio

Date 4-17-97 Svc Code 05 Desc MP Jk Can/NS \_\_\_\_\_ Bill Time 40

Ticket # 4942910 Audit # 36 150871 CID 97-85909 Name Gordon, Antonio

Date 4-10-97 Svc Code 05 Desc MP Jk Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942881 Audit # 36 150842 CID 97-85909 Name Mardon, Antonio

Batch #

CLINICAL SERVICE NOTES

© called to cx b/c he said he had no ride

Time Service Provided

AM PM

Next Appt.

Time

AM PM

Staff Signature/Title

Maryo Nariom, MEd

ID# 4362

Date

5-15-97

Svc Code

05

Desc

MP Jx

Can/NS

2

Bill Time

0

Ticket #

4943022

Audit #

36 150983

CID

97-85909

Name

Gordon, Antonio

Date

5-9-97

Svc Code

12

Desc

PA A

Can/NS

Bill Time

060

Ticket #

4609249

Audit #

36 144498

CID

97-85909

Name

Gordon, Antonio

Dr E

Date

5-8-97

Svc Code

05

Desc

MP Jx

Can/NS

2

Bill Time

0

Ticket #

4942992

Audit #

36 150953

CID

97-85909

Name

Gordon, Antonio

Date

5-1-97

Svc Code

05

Desc

MP Jx

Can/NS

Bill Time

40

Ticket #

4942960

Audit #

36 150921

CID

97-85909

Name

Gordon, Antonio

Date

4-24-97

Svc Code

05

Desc

MP Jx

Can/NS

Bill Time

90

Ticket #

4942939

Audit #

36 150900

CID

97-85909

Name

Gordon, Antonio

Date

4-11-97

Svc Code

05

Desc

MP Jx

Can/NS

Bill Time

40

Ticket #

4942910

Audit #

36 150871

CID

97-85909

Name

Gordon, Antonio

Date

4-10-97

Svc Code

05

Desc

MP Jx

Can/NS

Bill Time

90

Ticket #

4942881

Audit #

36 150542

CID

97-85909

Name

Gordon, Antonio

4-7-97

from group & @ wrote: "1) learn how to give respect where someone are talking 2) How to keep your hand to yourself & 3) how to keep my mouth to my self" m9

*[Faded, mostly illegible text, possibly bleed-through from the reverse side of the page.]*

CLINICAL SERVICE NOTES

Batch#  
 tonight we watched a video called "One last chance" about a juvenile who gets in trouble and goes to boot camp and then a foster home. The video depicts issues about juvenile crime, juveniles being confused and needing help and support, getting better at crime in jail, being scared to change your ways, making mistakes and learning from it, helping others who have been through what you have been through, uninvolved fathers, and making good decisions. Members seemed interested in the juvenile's life and commented on him being in so much trouble at an early age. They also seemed interested in the consequences he had to face. We will complete the video next session. @ really paid attention to video & didn't distract others for a change

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title Mary Jo Warrner, MEd ID# 4362  
 Date 5-22-97 Svc Code 05 Desc Up Jx Can/NS \_\_\_\_\_ Bill Time 90  
 Ticket # 4942215  
 Audit # 36 150177 CID 97-85909 Name Gordon, Antonio

Date 5-15-97 Svc Code 05 Desc Up Jx Can/NS 2 Bill Time 40  
 Ticket # 4943022  
 Audit # 36 150983 CID 97-85909 Name Gordon, Antonio

Date 5-9-97 Svc Code 12 Desc PMA Can/NS \_\_\_\_\_ Bill Time 060  
 Ticket # \_\_\_\_\_  
 Audit # 36 144438 CID 97-85909 Name Gordon Antonio Dr E

Date 5-8-97 Svc Code 05 Desc Up Jx Can/NS 2 Bill Time 0  
 Ticket # 4942992  
 Audit # 36 150953 CID 97-85909 Name Gordon, Antonio

Date 5-1-97 Svc Code 05 Desc Up Jx Can/NS \_\_\_\_\_ Bill Time 90  
 Ticket # 4942962  
 Audit # 36 150921 CID 97-85909 Name Gordon, Antonio

Date 4-24-97 Svc Code 05 Desc Up Jx Can/NS \_\_\_\_\_ Bill Time 90  
 Ticket # 4942939  
 Audit # 36 150900 CID 97-85909 Name Gordon, Antonio

Batch#

CLINICAL SERVICE NOTES

Tonight's group finished video about a juvenile who kept re-offending. Some of the system not helping juveniles came up & most members said juveniles get worse when they go to jail. I also commented that we need to start helping them at an earlier age. We talked about street sense & surviving any way you can. We also mentioned ↑ in serious habitual offenders. I asked group to tell me 3 things they've learned

Time Service Provided \_\_\_\_\_ AM PM Next Appt. \_\_\_\_\_ Time \_\_\_\_\_ AM PM

Staff Signature/Title Mary Co & Dawson MEd ID# 4362

Date 5-29-97 Svc Code 05 Desc Up X Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942216 Audit # 3G 150200 CID 97-85909 Name Gordon, Antonio

Date 5-22-97 Svc Code 05 Desc Up X Can/NS \_\_\_\_\_ Bill Time 40

Ticket # 4942216 Audit # 3G 150177 CID 97-85909 Name Gordon, Antonio

Date 5-15-97 Svc Code 05 Desc Up X Can/NS 2 Bill Time 0

Ticket # 4943022 Audit # 3G 150983 CID 97-85909 Name Gordon, Antonio

Date 5-9-97 Svc Code 12 Desc PMA Can/NS \_\_\_\_\_ Bill Time 060

Ticket # \_\_\_\_\_ Audit # 3G 144438 CID 97-85909 Name Gordon Antonio Dr E

Date 5-8-97 Svc Code 05 Desc Up X Can/NS 2 Bill Time 0

Ticket # 4942992 Audit # 3G 150959 CID 97-85909 Name Gordon, Antonio

Date 5-1-97 Svc Code 05 Desc Up X Can/NS \_\_\_\_\_ Bill Time 40

Ticket # 4942962 Audit # 3G 150921 CID 97-85909 Name Gordon, Antonio

Date 4-27-97 Svc Code 05 Desc Up X Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942939 Audit # 3G 150900 CID 97-85909 Name Gordon, Antonio

Date 4-17-97 Svc Code 05 Desc Up X Can/NS \_\_\_\_\_ Bill Time 40

Ticket # 4942910 Audit # 3G 150871 CID 97-85909 Name Gordon, Antonio

Date 4-10-97 Svc Code 05 Desc Up X Can/NS \_\_\_\_\_ Bill Time 90

Ticket # 4942881 Audit # 3G 150842 CID 97-85909 Name Gordon, Antonio

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE  
RECEPTION AND EVALUATION CENTER  
SOCIAL WORK REPORT

NAME: Antonio Gordon

DATE: July 3, 1995

MIS#: 146096

AGE: 13

DOB: 03/21/82

CURRENT OFFENSE

Malicious Injury to Property; Burglary 2nd; Petty Larceny  
(Two Counts)

COURT SUMMARY

Antonio is currently adjudicated on the offenses of Malicious Injury to Property, Burglary 2nd and Petty Larceny (Two Counts). He reported that he ran over a fence with a car. Also, he stated he and three others broke inside the wall of a shoe store, and took some shoes. Additionally, he stated he pumped some gas at a store and his brother drove off without paying for it.

A review of court documents substantiated Antonio's recollection of the incidents.

There were no aggravating or mitigating circumstances.

Previously, Antonio received probation, community service and other productive assignments for the offense of Accessory Before the Fact or Attempt to Category IV offense.

NEEDS ASSESSMENT

Substance Abuse

Antonio reported that he tried alcohol for the first time at age eleven but denied current use. He denied experimenting with marijuana, cocaine, or any other illegal drug or controlled substance.

Living Arrangement/Family Function

Prior to commitment, Antonio said he was living with his grandfather (Willie Gordon), his aunt and two year old brother. He said he has been living with them for the last few months. Prior to this, he reported that he was living with his mother, Loretta Wilson (age thirty), brother, (age fourteen), his uncle, three cousins, and his cousin's mother. He stated his parents are married, and his father, Ray Wilson, is in prison. He stated he has been in prison for the past three years but is not sure why. Court documents noted that he is serving time for a drug charge. Antonio noted that he does not have contact with his father. He described good relationships with family members. He noted that his mother "gets me anything I want." Antonio said he is disciplined by spankings. He reported no family history of alcohol or drug abuse. He said his grandfather is a diabetic.

Antonio Gordon - MIS #146096

July 3, 1995

Page Two

and his father and fourteen year old brother are currently incarcerated. Antonio stated his mother is employed.

Efforts to reach Antonio's mother were unsuccessful. However, Antonio's grandfather, Mr. Gordon, reported that Antonio has been living with him since January, 1995. He said he believes his mother is attempting to find appropriate housing so Antonio can live with her. He reported that when Antonio lived with him, he normally knew his whereabouts when he was not at home because they live in a rural environment. Mr. Gordon noted that most of Antonio's friends are cousins who live near by. However, Mr. Gordon noted that Antonio's mother lives "in town", and he has a tendency to get into difficulty there. He said he does not suspect Antonio of using drugs or alcohol. He stated Antonio's mother is in the process of making plans for him to attend school next term. Mr. Gordon noted that Antonio has satisfactory relationships with others.

Antonio is in need of a stable living environment. It is unclear as to whether his grandfather's or mother's home provide adequate structure for him.

#### School/Employment

Antonio reported that he last attended school in January, 1995. He said his mother was supposed to enroll him in a school program from 4:00 p.m. to 8:00 p.m. school program at night but never did. He stated he was not allowed to attend regular school because he was "too bad". Previously, he said he was enrolled in sixth grade special classes. He stated he repeated first grade but denied ever being expelled.

A review of court documents revealed Antonio was removed from the school roll on February 27, 1995 for nonattendance. However, no grades or disciplinary information was available.

Antonio expressed limited motivation to complete his education, and has no concrete ideas regarding future educational/career goals. It is recommended that he receive vocational counseling to educate him regarding various occupations and preparation for obtaining job skills. Also, he may benefit from participating in an alternative educational program.

#### Emotional Stability

Antonio denied a history of running away, or suicidal thoughts or gestures, or physical or sexual abuse. He said he has not had any previous counseling. He said he talks with his grandfather if he has a problem.

Antonio expressed limited insight into the consequences of his actions and could not explain his actions or the consequences of his behaviors. He appears immature for his age for his age and

Antonio Gordon - MIS #146096

July 3, 1995

Page Three

It is recommended that he receive counseling which includes respecting the rights and property of others, appropriate social behaviors, judgment, enhancing self concept, and other issues.

### Peer Associations

Antonio reported that he has one close friend age thirteen. He said this friend has been in trouble, but does not drink alcohol or use drugs to the best of his knowledge. He stated he has a fourteen year old girlfriend, and has been sexually active since the age of ten. He noted that he uses condoms all the time. As hobbies, he enjoys playing all sports.

Antonio may benefit from participating in a program that offers positive role models, and structured extracurricular activities.

### BEHAVIORAL OBSERVATIONS

Antonio had an overall satisfactory adjustment to the Reception and Evaluation Center. He was described by residential unit staff as having appropriate grooming, manners and work habits. Antonio related to staff and peers satisfactorily; however, it was noted that he was easily angered at times but difficulties with his temper improved. He related satisfactorily to supervision. Antonio's behavior in the residential unit was consistent throughout his stay.

NOTE: Additional behavioral observations are presented in the attached School Evaluation Summary.

### RECOMMENDATIONS

The following dispositional and placement recommendations were formulated in consultation with the case psychologist:

Diversion     Suspended Commitment     Monetary Restitution  
 Probation     Commitment     Community Service  
 Home Placement     Alternative Placement     DJJ Institution

1. It is recommended that Antonio receive a suspended commitment to the South Carolina Department of Juvenile Justice and long-term probation. The suspended commitment should be contingent upon him successfully complying with all probationary requirements. Probation should include continuance with his education and regular conferences with a probation counselor.

In an effort to assist him in learning responsibility for his actions, community services is recommended.

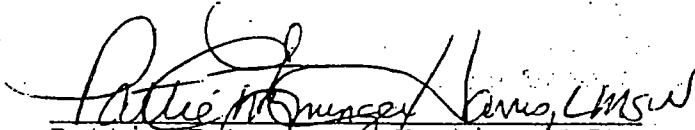
Antonio Gordon - MIS #146096

July 3, 1995

Page Four

2. Home placement with Antonio's grandfather is recommended at this time. However, home studies should be completed to ensure that this environment as well as his mother's home provides adequate structure, guidance and supervision. If the results of the home studies are unsatisfactory, then an alternative placement should be considered.

NOTE: Additional service recommendations are presented in the attached Psychological Evaluation.

  
Pattie Entzminger Harris, LMSW  
Social Worker

PEH/2

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE  
RECEPTION AND EVALUATION CENTER  
EVALUATION

NAME: Antonio Gordon DATE: July 3, 1995  
MIS#: 146096 AGE: 13 DOB: 03/21/82  
DATE OF COMMITMENT: 06/12/95 COUNTY: York  
DATE OF RELEASE: 07/12/95 DISCHARGE TO: York  
DETENTION ORDER: No  
ALERT: Full Scale I.Q. 68

DISPOSITIONAL RECOMMENDATION:

Diversion  Suspended Commitment  Monetary Restitution  
 Probation  Commitment  Community Service

PLACEMENT RECOMMENDATION:

Home Placement  Alternative Placement  DJJ Institution

ATTACHMENTS:

Form 5  
 Court Order  
 Social Work Report  
 Psychological Evaluation  
 Psychiatric Evaluation  
 Clinical Assessment Summary (Alcohol and Drug Use)  
 School Evaluation Summary  
 Health Examination Record  
 Medical Lab Report

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE  
RECEPTION AND EVALUATION CENTER  
SOCIAL WORK REPORT

NAME: Antonio Gordon

DATE: February 22, 1997

MIS#: 146096

AGE: 14

DOB: 03-21-82

CURRENT OFFENSE

Assault and Battery

COURT SUMMARY

According to information in the file, Antonio committed the above offense in York County, South Carolina. He reported he was charged with Assault and Battery when he accidentally pushed a police officer. He stated he had been running from some boys who wanted to fight him. He stated he ran into a police officer and the officer fell on the ground. This incident took place at the Rebound School, an alternative school in York County. Police petition indicated that Antonio was detained at the Rebound School and ran into the officer and shoved him with his hands and shoulder.

No significant aggravating or mitigating circumstances are apparent in connection with Antonio's offense. Antonio's offense involved an act of aggression upon his victim.

Antonio has been known to the Family Court of York County since July, 1993. This is Antonio's second commitment to the South Carolina Department of Juvenile Justice Reception and Evaluation Center. The majority of Antonio's referrals have been property offense violations.

NEEDS ASSESSMENT

Substance Abuse

Antonio reported that he has smoked marijuana in the past but denied any involvement with alcohol.

Living Arrangement/Family Function

We were unable to contact Antonio's guardian, Mr. Willie Gordon (grandfather). Mr. Gordon's telephone was disconnected. However, he was interviewed by workers at the Department of Juvenile Justice in York County and they submitted to this Center the Supplemental Summary. Information in this report came from interviews with Antonio, the Supplemental Summary and telephone conversations with DJJ officials in York County.

We learned that Antonio resided in the home of his grandfather, Mr. Willie Gordon, age fifty-nine. Mr. Gordon is handicapped (paralyzed from his waist down) according to Antonio. He stated the grandfather was shot. Antonio's mother, Ms. Loretta Wilson, lives nearby in the community. She is in satisfactory physical health and is employed at a local dry cleaner in Fort Mills, South Carolina.

Antonio Gordon - MIS# 146096

February 22, 1997

Page Two

His biological father, Mr. Ray Charles Wilson, is thirty-five years old. He is serving time in prison in Georgia. Antonio reported he resides in the home of his grandfather because he does not get along with his mother. He reported younger siblings residing there also, ranging in age from two to twelve years old. Workers at the Center question the amount of supervision that Antonio receives in his home. He described a very liberal curfew and stated that he can come and go as he pleases.

#### School/Employment

Antonio was last enrolled in the eighth grade at Castle Heights Middle School. He had not been attending school regularly and when he attended, he is a behavioral problem. He has been expelled for the remainder of the school year. He stated he held a job washing cars.

#### Emotional Stability

Antonio reported no referrals to the Mental Health Center for counseling regarding his behavior or an alcohol and drug program for substance abuse treatment. He denied having any past or present thoughts of suicide. He also denied placement in a psychiatric hospital. We feel Antonio would benefit from counseling in the areas of anger and impulse control and decision-making skills. He also needs values clarification (respecting the property rights of others).

#### Peer Associations

Antonio reported having friends in the community. He stated he is not close to any particular friend. We feel that his friends have not influenced his behavior negatively or contributed to his delinquency. He enjoys playing football, basketball, baseball and listening to music. He stated he is not dating at this time.

#### BEHAVIORAL OBSERVATIONS

Antonio's overall adjustment to the structure of the Residential Life program was sporadic. He had fairly good personal hygiene and grooming habits. Antonio became easily angered and was argumentative in the program. He also needed improvement in his manners. He related fairly well with his peers and participated in most of the unit activities. At times, he resented staff members telling him what to do; however, he did follow through with chores and assignments. Workers feel that Antonio needs consistent structure and supervision upon his return to the community.

NOTE: Additional behavioral observations are presented in the attached Student Transcript.

Antonio Gordon - A.S# 146096  
February 22, 1997  
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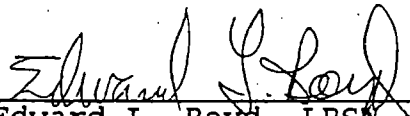
RECOMMENDATIONS

The following dispositional and placement recommendations were formulated in consultation with the case psychologist:

Diversion     Suspended Commitment     Monetary Restitution  
 Probation     Commitment     Community Service  
 Home Placement     Alternative Placement     DJJ Institution

1. It is recommended that Antonio be placed on supervised probation with the Department of Juvenile Justice of York County. The terms and consequences of Antonio's probation should be clearly explained to him by the court. He should be seen by his probation counselor on a routine basis.
2. It is recommended that Antonio be considered for alternative placement upon his return to the community. We feel he is need of more structure, guidance, supervision, discipline and education than his present home can provide at this time.

NOTE: Additional service recommendations are presented in the attached Psychological Evaluation.

  
\_\_\_\_\_  
Edward L. Boyd, LBSW  
Social Worker

ELB:ksa2

S.C. Department of Juvenile Parole  
Institutional Board Report  
January, 1998

Name: Gordon, Antonio  
County: York

MIS#: 146096  
Institution: NEC

- I. Treatment goals and summary of progress since commitment:
1. To learn to control anger and impulsive behaviors
  2. To acknowledge and respect authority, rules, and laws
  3. To avoid negative peer influences
  4. To accept responsibility for his own actions and their consequences

Mr. Gordon is at the maximum guideline of a 1-3 month guideline indeterminate sentence for Petit Larceny. He admits to the offense but still has some difficulty accepting full responsibility for his own actions. However, he is demonstrating considerable progress in the area of controlling his temper when he is confused or frustrated or angry. And he has shown more and more lately the maturity to seek out the appropriate resources (that being me, in most cases) for getting his needs met and his questions answered. When he first appeared on my caseload, he had little patience and seemed to believe that intimidation or implied threats - and sometimes whining - were the best methods to use to get what he wanted. He has impressed me lately, however, with his apparent understanding of the more appropriate ways to get his needs met.

He has been an active and on-track participant in a couple of psychoeducational social work groups, and he has evidenced an increased ability to follow logical trains of thought. Most importantly, he seems to know the difference between the outcomes of socially and legally acceptable behaviors as opposed to their opposites.

- II. Disciplinary reports since last parole review:  
None that have been brought to my attention.

- III. Release recommendation: YES  NO  
Rationale:

So long as he is able to maintain a positive frame of mind, Antonio seems to be capable of returning to the community and doing well. I would recommend that he either have follow-up mental health counseling in a community based setting or a regular mentor to help keep him focused on a positive direction for his life and continuing to "do the right thing"; preferably, he would have both. It is also essential that Antonio avoid negative peer influences in the community, as he is definitely a "follower" and easily influenced.

Phillip A. Desilet, LMSW, SW IV

June Beasley, LMSW, SW V Date

SOUTH CAROLINA BOARD OF JUVENILE PAROLE  
STITUTIONAL BOARD REPORT

NOVEMBER 1997

NAME: Antonio Gordon

MIS#: 146096

COUNTY: York

INSTITUTION: R&E Transition

I. Treatment goals and summary of progress since commitment:

Antonio was committed to the DJJ system by York County Family Court on 10/13/97 for Petty Larceny.

Antonio's community DJJ officer reported that he was residing with his maternal grandfather prior to commitment. The grandfather is disabled. Home conditions were described by community DJJ as "horrible". The community DJJ has facilitated mentor services and counseling with Antonio. Antonio did well in the mentor relationship and was cooperative with counseling; however, transportation needs restricted his participation. The family residence is described as being "way out in the country".

Antonio was not attending school regularly prior to commitment. He had approximately eighteen recorded absences.

Though he has never admitted to drug involvement, his grandfather reported that Antonio was caught with marijuana in his billfold at school on one occasion. Substance abuse classes may be helpful to Antonio.

Antonio's grandfather described his home behavior as "okay". He noted that occasionally Antonio was "sassy" and that he had broken his curfew rules coming home late.

X It is recommended that Antonio be considered for an alternative placement upon his release. His full scale IQ of 68 may prohibit consideration by a program such as Midlands Marine Institute. Therapeutic foster care might also be a consideration, i.e. SAFFY or Mentor to give Antonio a consistent home environment with concurrent counseling services.

II. Significant institutional misbehavior:  
(date, circumstances, action taken)

During the week that Antonio was residing in the transition unit at the Reception and Evaluation Center, he received no negative behavior reports from unit staff and appeared to get along well with other juveniles.

Antonio received a major incident report for failure to respond to program discipline by school staff. It was reported that he refused to do class work and slept through class.

Transition Unit Summary Recommendations

MIS#: 146096 SSN:  
Last Name: GORDON

Medicaid #:  
First Name: ANTONIO

Program Recommendations: ALCOHOL/DRUG EDUCATION/ANGER MANAGEMENT/IMPULSE CONTROL/VALUES CLARIFICATION/CONFLICT RESOLUTION

Medical: ALLERGIC TO BEE STINGS.

Current Medications:

Limiting Physical Conditions: PASSED HEARING. 20/20 VISION

Treatment Needs:

Limiting Mental/Psychological Conditions: FULL SCALE IQ: 68

Recommendations:

Special Needs:

504 Requirements: INDIVIDUAL/GROUP COUNSELING

Education: (see attached class schedule). Chapter I eligible:

READING LEVEL: 4.2, MATH LEVEL: 3.6

Special Educ. Placement:

Speech Screening:

Interim IEP:

Voc. Rehab.

Occupational Interests: AUTOBODY

Comments: HAS SMOKED MARIJUANA IN THE PAST. VERY EASILY ANGERED. HAS ASSAULTED A POLICE OFFICER AT YORK COUNTY ALTERNATIVE SCHOOL. PRIOR MENTAL HEALTH COUNSELING.

CURRENT OFFENSE: PETTY LARCENY

Facility Assignment: NORTHEAST CENTER

PAROLE GUIDELINES: 1-3

RISK/CATEGORY: 9/VI

SCHOOL ASSIGNMENT: 9TH

STAFFING DATE: 10-16-97

Special Program Eligibility:

Parole Guidelines:

Next Staffing Date:

SUBCLASS: NO

Antonio Gordon

Juvenile Signature

10-16-97

Date

William A. Lee

Chairperson Signature

10-16-97

Date

----- \*\*\*\* -----

INDIVIDUAL TREATMENT PLAN

312.82 Conduct disorder

CLIENT'S NAME: Antonio Gordon RECORD ID#: 97-85909 Diagnosis for which treatment is planned (DSM IV code and description): 312.82 Conduct disorder Level of Care: D

Client Strengths, Abilities, Needs, Preferences (include family, school, neighborhood resources): Strengths - Agency involvement, Mentor Abilities - Needs Decision making, future goals, take responsibility Preferences for @ to maintain in community

OUTCOME MEASURES

1 No progress	3 Some progress
2 Limited progress	4 Significant progress
5 Goal accomplished	

PROBLEMS:	GOALS, OBJECTIVES & MEASURES	SERVICE	FREQ	TIME FRAME	90 Days		180 Days	
					1	2	3	4
Lack of sensitivity to thoughts, feelings & needs of other people	Goal: Demonstrate increased honesty & sensitivity to the feelings & rights of others OBS/MEA: @ will cooperate in evaluation by DR & take any meds as prescribed by DR	PMA	PRN	6 mos				
	OBS/MEA: @ will cooperate in periodic assessments by T	Assess-ment	PRN	6 mos				
	Goal: Express anger through appropriate verbalizations & healthy physical outlets OBS/MEA: @ will follow guidelines of DJJ <del>parole</del> <sup>probation</sup>	MpJx	4x/mo	6 mos				
Failure to accept responsibility for misbehavior (doesn't see it as problematic)	OBS/MEA: @ will verbalize steps to effectively solve problems							
Conflict in authority figures; fighting & intimidation of others	Goal: Resolve core conflicts which contribute to emergence of conduct problems OBS/MEA: Recognize & verbalize how feelings are connected to misbehavior	Ind Jx	2x/mo	6 mos				

Person responsible for implementing plan: Mary Jo Sworen, MEd 5997 Date: 5/9/97

Confirms appropriateness and medical necessity: Paul [Signature], MD Date: 5/9/97

**CONFIDENTIAL**

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE  
Psychological Evaluation

Gordon, Antonio

#146096

February 12, 1997

**Referral Statement:**

This student was referred for psychological evaluation as part of the comprehensive evaluation process of the Reception & Evaluation Center. Findings may be used in consultation with social workers or other R&E staff. This report addresses issues of intellectual and academic functioning; personality factors and emotional stability; personal strengths and needs; and services to help change problem behavior and to protect the public.

**Identifying Information:**

Antonio is a 16-year-old African American male committed to the R&E Center on January 27, 1997 by the York County Family Court. The current psychological evaluation was conducted on 2/8/97 and 2/10/97.

**Sources of Information:**

Peabody Individual Achievement Test-Revised (PIAT-R) (Reading Comprehension subtest)  
Street Survival Skills Questionnaire (SSSQ)  
Rotter Incomplete Sentences Blank-High School Form (ISB)  
Mooney Problem Checklist  
Developmental Test of Visual-Motor Integration (VMI)  
File Information  
Clinical Interview  
Behavioral Observations  
Psychological Evaluation (R&E, 6/21/95)

**Background Information:**

Prior to his evaluation at R&E, Antonio reported that he lived with his maternal grandfather, his aunt, cousin and two brothers, ages 3 and 12. He stated that he lived with his mother until he was 12 years old and then moved in with his grandfather for "peace and quiet". Antonio reported that his grandfather lives in the country and that it is quieter for him and he feels he will not get in trouble as he felt he would in Rock Hill, where his mother lives. He stated that he sees his mother each week. Antonio reported that his mother and father are married and that he lived with both of them until he was 11 years old, which was when his father was incarcerated. He said that he did not know why his father was incarcerated and that he last saw his father in November of 1996. Antonio reported that he gets along well with his family. He denied ever being physically or sexually abused.

Antonio reported that he enjoys playing all sports. He stated that he has tried alcohol and that at age 13, he began smoking marijuana and that he currently smokes on Fridays. He stated that he became sexually active at the age of 12 and that he has always used protection while having sex, except with his current girlfriend. Antonio reported that his girlfriend is currently pregnant and expecting in August.

Antonio reported that he is currently in the 8th grade. He stated that he has been attending Rebound School since August of 1996, but that he is currently expelled for "problems on the bus". Antonio reported that he failed the 1st grade. He stated that his current grades are A's, B's, and C's. Antonio reported that he would like to go to college and become a construction worker. He said that he hopes to get a job soon so that he can help support his girlfriend.

Antonio reported that initially he had a difficult time adjusting to R&E. However, he stated that he felt more recently, that he has adequately adjusted and that his sleep, appetite, and concentration have been good. He reported that he has less energy than usual. Antonio denied ever having suicidal ideation. He also denied any history of major illnesses or mental health counseling.

In regard to the charge of Assault and Battery, which resulted in his evaluation at R&E, Antonio reported that he and another boy were "playing" at school and that he was running from the boy and ran into a police officer and knocked him down. Antonio said that he did not mean to run into the officer. Antonio was previously incarcerated at R&E in June of 1995 for the charges of Malicious Injury to Property, Burglary, Petty Larceny (2 counts).

#### **Behavioral Observations:**

Antonio's height and weight are 5'8" and 135 lbs., respectively. Rapport was fairly easily gained with Antonio. Antonio was cooperative throughout the evaluation and occasionally attempted to engage the examiner in conversation. Antonio appeared to approach each task in a conscientious manner. Eye contact was good. Antonio appeared to be in a good mood and was noted to laugh often. As discussed above, Antonio denied any current or past suicidal ideations. There was no indication of psychosis.

#### **Test Results and Interpretations:**

On the WISC-III, administered at the R&E Center in June of 1995, Antonio obtained a Full Scale IQ of 68, placing him at the 2nd percentile and in the Intellectually Deficient range. His Verbal IQ of 72 placed him at the 3rd percentile and his Performance IQ of 69 placed him at the 2nd percentile. Overall, it appears as if Antonio's nonverbal and verbal skills are evenly developed. Individual subtest scores were as follows:

<u>Verbal</u>		<u>Performance</u>	
Information	4	Picture Completion	6
Similarities	4	Coding	6
Arithmetic	7	Picture Arrangement	3
Vocabulary	5	Block Design	4
Comprehension	5	Object Assembly	-

Antonio completed the SSSQ, a measure of his adaptive skills. He obtained a Survival Skills Quotient of 95, which fell within the Normal range. Taken in tandem, IQ and adaptive measures suggest that overall, Antonio is in the Borderline range of functioning.

Antonio's PIAT-R results indicate that his Reading Comprehension skills are at a 2.1 grade level (SS=55; <1 percentile). This suggests that his ability comprehend passages of text is below what would be expected considering his overall verbal ability, as measured by the WISC-III. Therefore, reading comprehension appears to be a weakness for Antonio.

On a test of visual-motor integration, the VMI, Antonio performed at an age equivalent of 11 years and 8 months. His VMI Scaled Score of 89 placed him at the 23rd percentile. Antonio's performance on the VMI is higher than what would be expected given his overall nonverbal ability, as measured by the WISC-III, suggesting that he has optimized his innate capacities in this area.

Although Antonio revealed very little information regarding his personal feelings, results from the clinical interview and personality measures revealed that much of Antonio's current thoughts are taken up with his concerns regarding his pregnant girlfriend. When asked what was troubling him most, one of Antonio's written responses concerned his girlfriend being pregnant and his fear that she may get hurt. In addition, on the ISB, Antonio completed the written sentence stem, "My greatest worry is" with "my girlfriend is getting hurt", the stem, "I want to know" with "how are[is] my girlfriend doing", and the stem, "At bedtime" with "I be thinking how my child [is] going to act". Antonio expressed that he is feeling a bit "scared" about his girlfriend being pregnant and that he has a desire to help support the child.

#### Strengths:

1. Antonio can be a friendly individual.
2. Antonio reported that would like to attend college.

Needs:

1. To learn to obey the rules and laws.
2. To complete his education; Education that focuses on his particular academic strengths and weaknesses. To determine and work toward his career and educational goals.
3. To learn to appropriately deal with interpersonal conflict and to improve his decision-making skills.
4. To learn the dangers of using marijuana and to curtail his use of this substance.
5. To acquire effective parenting skills and to access necessary child-rearing resources.
6. To benefit from positive role models.

Services:

Close supervision, limit setting, and structure in his daily environment; consequences for inappropriate behavior and rewards for appropriate behavior.

Particular attention to the remediation of his verbal (reading) skills. Consultation with school guidance counselor to aid Antonio in determining and planning for a career path that suits him. Vocational training may be indicated.

Group or individual counseling, congruent with his intellect, that provides Antonio with conflict resolution skills and the opportunity to process his feelings.

Drug education and participation in a treatment program for adolescents who use illegal drugs.

Enrollment in a parent training program and referral to agencies which will assist him in providing for the needs of his child.

Participation in a mentor program such as Big Brother's.

Gordon, Antonio

#146096

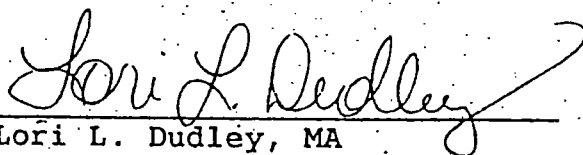
page 5

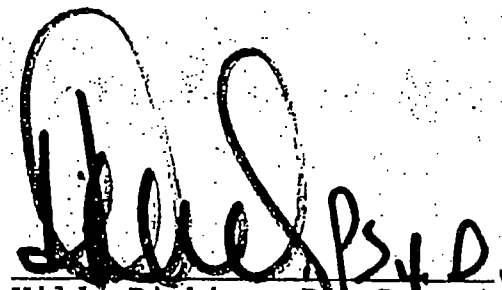
Diagnostic Impressions (DSM-IV):

Axis I:           312.9     Disruptive Behavior Disorder Not  
  Otherwise Specified  
  Consider Emerging Conduct Disorder  
                  305.20     Cannabis Abuse

Axis II:           V62.89     Borderline Intellectual Functioning

Axis III:          No diagnosis

  
Lori L. Dudley, MA  
Psychology Graduate Assistant

  
Hildy Dinkins, Psy.D.  
Supervising Psychologist

Transition Unit Summary Recommendations

MIS#: 146096 SSN:  
Last Name: GORDON

Medicaid #:  
First Name: ANTONIO

Program Recommendations: ALCOHOL/DRUG EDUCATION/ANGER MANAGEMENT/IMPULSE CONTROL/VALUES CLARIFICATION/CONFLICT RESOLUTION

Medical: ALLERGIC TO BEE STINGS.

Current Medications:

Limiting Physical Conditions: PASSED HEARING. 20/20 VISION

Treatment Needs:

Limiting Mental/Psychological Conditions: FULL SCALE IQ: 68

Recommendations:

Special Needs:

504 Requirements: INDIVIDUAL/GROUP COUNSELING

Education: (see attached class schedule). Chapter I eligible:

READING LEVEL: 4.2, MATH LEVEL: 3.6

Special Educ. Placement:

Speech Screening:

Interim IEP:

Var. Rehab.

Occupational Interests: AUTOBODY

Comments: HAS SMOKED MARIJUANA IN THE PAST. VERY EASILY ANGERED. HAS ASSAULTED A POLICE OFFICER AT YORK COUNTY ALTERNATIVE SCHOOL. PRIOR MENTAL HEALTH COUNSELING.

CURRENT OFFENSE: PETTY LARCENY

Facility Assignment: NORTHEAST CENTER

PAROLE GUIDELINES: 1-3

RISK/CATEGORY: 9/VI

SCHOOL ASSIGNMENT: 9TH

STAFFING DATE: 10-16-97

Special Program Eligibility:

Parole Guidelines:

SUBCLASS: NO

Next Staffing Date:

Antonio Gordon

Juvenile Signature

10-16-87

Date

William D. Lee

Chairperson Signature

10-16-97

Date

----- \*\*\*\* -----

# CATAWBA COMMUNITY MENTAL HEALTH CENTER

166 Dotson Street, Rock Hill, South Carolina 29732

Phone: (803) 327-2012

Fax: (803) 329-7141 - Administration

Fax: (803) 327-4198 - Clinical

Catawba Family Center  
1013 Charlotte Avenue  
Rock Hill, S.C. 29732  
Phone: (803) 329-3177  
Fax: (803) 329-3319

Chester Office  
118-120 York Street  
Chester, S.C. 29706  
Phone: (803) 581-8311  
Fax: (803) 385-2440

Lancaster Office  
210 N. Pine Street  
Lancaster, S.C. 29720  
Phone: (803) 285-7456  
Fax: (803) 285-5514

## PSYCHIATRIC EVALUATION

CATAWBA FAMILY CENTER

Antonio Gordon

DATE OF EVALUATION: 5/9/97

CHIEF COMPLAINT: "Am I crazy?"

HPI: Antonio is a fifteen-year-old black male who requested to see the psychiatrist for evaluation of his behavior problems. The patient is currently receiving individual and group therapy at Catawba Family Center and is referred for a PMA. The patient has had behavior problems throughout most of his life, generally involving aggression and oppositionality. He has had problems with fighting and threatening people resulting in suspensions in the second, fourth and fifth grades. Second grade suspension was secondary to cursing teacher, fourth grade suspension secondary to fighting and fifth grade suspension secondary to threatening principal. He had passed all grades until the sixth grade and during sixth grade has had increased behavior problems with much increased aggressive behavior and oppositionality. He states he has been in multiple fights which prompted his placement in Rebound School this year. He attended Rebound for two to three months until he was kicked out secondary to fighting. The patient was involved in a fight which was broken up by a police officer and patient was charged with assault and battery. The next day patient assaulted the police officer who had arrested and charged him the day before. As a result, he was kicked out of school and subsequently went to R&E in Columbia for twenty-eight days from which he was released on 2/26/97. The patient has been on probation since with no violations thus far. The patient states he wants to be evaluated to determine "if I'm crazy." The patient states he has a very quick temper and that when angered he will "go crazy." The patient states if threatened or teased he will become angry and will be ready to fight. He states if a fight isn't broken up he would be willing to "kill someone." The patient is currently living with grandfather, aunt, cousin, and two brothers. He says he is "just hanging out" currently. He is expelled from school for the rest of the year. DJJ is currently working on hooking patient up with a mentor. The patient denies feeling depressed stating mood is "happy." He denies any neurovegetative symptoms of depression reporting good sleep, appetite, energy, concentration, and interest. The patient reports he smokes marijuana approximately every other day and drinks one to three beers about once a month. He states he is sexually active and has

CATAWBA FAMILY CENTER  
Antonio Gordon  
5/9/97  
Page 2

unprotected sex stating "I won't catch anything." He states he had a HIV test at the Health Department in December of 1996 which he says was negative. The patient denies history of manic symptoms although he says he stayed up all night two night in a row and the third night slept only one hour. He states he was playing cards with friends who also stayed up during this time and that afterwards he slept all night the next night. At that time he denied increased energy, racing thoughts, abnormal behavior or psychotic symptoms. The patient denies history of SI/HI or A/VH. The patient states he would like to control his temper and is not interested in taking any medications. The patient reports no difficulty in attention or concentration in school. He states he could always complete tasks if he wanted to.

PAST PSYCH HISTORY: Is unremarkable.

PAST MEDICAL HISTORY: Patient denies having any chronic medical illnesses except notes that he has stuttered most of his life secondary to a "bump on my tongue." The patient also reports chronic left knee pain secondary to a football injury several years ago. He is on no medications and denies drug allergies.

FAMILY HISTORY: Patient unsure of most of family history. Unsure if mother has any psychiatric or medical problems. Notes father currently in jail in Georgia for last three years due to be released in 1998. Unsure why father in jail but states he's had problems similar to patient's of trouble with aggressiveness and fighting.

SOCIAL HISTORY: Patient lived with mother and father until about age ten when he moved to live with grandfather. Patient unclear why he moved in with grandfather. Patient now lives with grandfather, his aunt, his cousin, and two brothers. Patient notes history of physical abuse from father and mother of being slapped with cords, belts, and switches such that on occasion they had left scars. The patient states he never feared for his life. Patient denies history of sexual abuse. Patient reports smoking marijuana approximately every other day, drinks one to three beers once a month and smokes five cigarettes per day. Patient sexually active, unprotected as in HPI.

DEVELOPMENTAL HISTORY: Unknown. Records indicate a full scale IQ of 68.

MENTAL STATUS EXAM: Moderately well groomed black male in sweat pants, tee shirt and baseball cap. During interview, he intermittently makes eye contact then hangs head. Patient fidgety in seat. Speech is somewhat difficult to understand secondary to mumbling and stuttering. Mood is "happy." Affect is congruent and bright. Patient is alert and oriented times four. Thought processes are linear and logical. Thought content: denies SI/HI, A/VH. There is no evidence of psychosis or mania. Patient can spell "world" forwards and backwards, remembers three of three objects at zero and five minutes and is able to make change for a dollar. Patient unable to do serial sevens stating he has to count on his fingers. Insight is fair and judgment is poor.

CATAWBA FAMILY CENTER  
Antonio Gordon  
5/9/97  
Page 3

ASSESSMENT: A fifteen-year-old black male with long history of behavior problems in school which have severely worsened over the last year such that he has had legal problems and spent twenty-eight days in R&E in this past year. The patient grew up in a physically abusive environment and father has history of violence, aggression and legal problems. Patient's signs and symptoms are consistent with conduct disorder. Patient also abusing marijuana, tobacco and possibly alcohol. He is also at risk for sexually transmitted diseases secondary to history of unprotected sex. The patient does not currently have symptoms consistent with depression, mania, psychosis, or an anxiety disorder. Medication treatment is not indicated at this time. Patient appears to be benefiting some from group therapy and individual treatment as he has been able to be compliant with probation since 2/26.

AXIS I - Conduct disorder, marijuana abuse, nicotine abuse, rule out alcohol abuse.

AXIS II - Deferred.

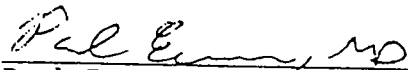
AXIS III- Stuttering secondary to "bump on tongue."

AXIS IV - Moderate to severe based on recent legal difficulties and expulsion.

AXIS V - 50.

PLAN:

1. Patient can be treated outpatient as he does not currently represent danger to self or others.
2. Medication treatment is not indicated at this time. If patient continues to have difficulty with aggression and impulse control despite group and individual therapy, an antidepressant or mood stabilizer could be considered in the future for treating aggression and lability if the patient desires it.
3. Continue in individual and group therapy.
4. PMA prn.
5. Patient should receive testing for sexually transmitted diseases including HIV if a record of testing at the Health Department cannot be located.



Paul Everman, M.D.

"Reviewed for accuracy only when signed."

PE:bc

D/T: 5/13/97

## DISCHARGE SUMMARY SHEET

1.a. PATIENT'S NAME AND I.D.# <b>Antonio Gordon 97-85909</b>	b. DATE SERVICE BEGAN <b>4-7-97</b>	c. DATE SERVICE ENDED <b>10-14-97</b>
---	--	--

2. SUMMARY OF SERVICE RENDERED (Include list of psychotropic medications with dose, response and complications)

**Care Coordination x 1**  
**Assessment x 2**  
**Group x 6**  
**PMA x 1**

3. REASON FOR TERMINATION OF SERVICE

**© committed to DJJ & also didn't request further services after completion of group**

4. RESULTS OF SERVICE AND CONDITION ON DISCHARGE

**© began services in CFC to complete conflict management group & he did so. However, © got charged in stealing a bike & judge committed him to DJJ in concern for © inability to read well & stay out of trouble.**

5. DISCHARGE DIAGNOSIS

**312.82 Conduct Disorder**

6. RECOMMENDATIONS AND FOLLOW-UP PLANS (REFERRALS, ETC.)

**DJJ will be involved & © may be transferred to Marine Institute program from DJJ Institution**  
**Follow up survey sent to CF.**

SIGNATURE, TITLE & DATE OF PROVIDER CLOSING RECORD

*[Signature]*

## PHYSICIAN'S MEDICATION ORDERS AND SERVICE NOTES

PATIENT'S NAME AND I.D. #

*Antonio Gordon 97-85909*

a. MEDICATIONS PRESCRIBED THIS VISIT BY CENTER PHYSICIAN  
NAME OF MEDICATION

b. LIST ALL OTHER CURRENT MEDICATIONS AND SUBSTANCES  
(CENTER & NON-CENTER)

*∅*

*∅*

c. PHYSICIAN'S SERVICE NOTES

*A) Cardiac D/O, MS abuse, Nicotine abuse, R/O ETOH abuse*  
*P) 1) ∅ meds*  
*2) continue GP/individ TX*  
*3) PMA PRN if pt ∅ better ∅ 2) and requests meds - could*  
*try SSRIs to b aggressive*  
*4) Blood tests for STDs if ∅ done @ Health Dept*

d. SIGNATURE AND DATE

*Pennington 5/9/97*

a. MEDICATIONS PRESCRIBED THIS VISIT BY CENTER PHYSICIAN  
NAME OF MEDICATION

b. LIST ALL OTHER CURRENT MEDICATIONS AND SUBSTANCES  
(CENTER & NON-CENTER)

c. PHYSICIAN'S SERVICE NOTES

PLACE TOP OF REPORT OR SERVICE NOTE #10 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #9 HERE

PLACE TOP OF REPORT OR SERVICE NOTE #8 HERE

down & avoid negative results. @ showed interest in DA's dictation & I read it to him. @ asked a few ?'s & even asked for a copy to take home. Perhaps no one has taken an interest in @ & although he's only required to have one more session I wonder if he'll request closure. MJD

firmly to exposed adhesive. Be sure reports are evenly aligned to insure neatness.

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 00-CP-46-1414

ANTONIO GORDON #259798

STATE OF SOUTH CAROLINA

CERTIFIED TRUE COPY  
2013 NOV - 8 AM 9:46  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

PLAINTIFF(S)

DEFENDANT(S)

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial of hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a) SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other \_\_\_\_\_

IT IS ORDERED AND ADJUDGED:  See attached order;  Statement of Judgment by the Court

ORDER OF DISMISSAL

Dated at CAMDEN, South Carolina, this 27<sup>TH</sup> day of OCTOBER, 2003

S/ J. ERNEST KINARD  
PRESIDING JUDGE

CERTIFIED TRUE COPY  
2006 JUL 27 PM 3:36  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

This judgment was entered on the 20<sup>TH</sup> day of AUGUST, 2003 and a copy mailed first class this 13<sup>TH</sup> day of NOVEMBER, 2003, to attorneys of record or to parties (when appearing pro se) as follows:

TARA DAWN SHURLING  
3614 LANDMARK DRIVE  
SUITE D  
COLUMBIA SC 29204

JEANETTE C. VANGINHOVEN  
P O BOX 11549  
COLUMBIA SC 29211-1549

(Re-mailing due to our office inadvertently mailing to Mr. Gordon's previous attorney, Laurie Ann Baker)

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

DAVID HAMILTON  
CLERK OF COURT

FORM 4

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

JUDGMENT IN A CIVIL CASE  
CASE NO.00 -CP-46- 1414

Antonio Gordon

The State of South

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

2019 NOV -8 AM 9:46

CERTIFIED TRUE COPY

PLAINTIFF(S)

DEFENDANT(S)

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial of hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other \_\_\_\_\_

IT IS ORDERED AND ADJUDGED:  See attached order;  Statement of Judgment by the Court :

Order of Dismissal

Dated at YORK, South Carolina, this 18 day of Aug., 2003

S/J. Ernest Kinard  
PRESIDING JUDGE

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

2006 JUL 27 PM 3:36

CERTIFIED TRUE COPY

This judgment was entered on the 20 day of Aug. 2003 and a copy mailed first class this 20 day of Aug. 2003, to attorneys of record or to parties (when appearing pro se) as follows:

Laurie Anne Baker  
Suite 100  
454 South Anderson Rd.  
Rock Hill, SC 29730

Jeanette C VanGinhoven  
Thomas E. Pope, Solicitor

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

DAVID HAMILTON  
CLERK OF COURT



FILED-RECEIVED

2003 AUG 20 AM 6:36

DAVID HAMILTON  
C.L.E.P. & G.S.  
YORK COUNTY, SC

The State of South Carolina  
**OFFICE OF THE ATTORNEY GENERAL**

HENRY McMASTER  
ATTORNEY GENERAL

August 19, 2003

The Honorable David Hamilton  
Clerk of Court, York County  
Post Office Box 649  
York, South Carolina 29745

Re: **Antonio Gordon v. State of South Carolina**  
**2000-CP-46-1414**

CERTIFIED TRUE COPY  
2013 NOV - 8 AM 9:46  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

Dear Mr. Hamilton:

Enclosed please find the original Order of Dismissal dated August 18, 2003, in the above case signed by the Honorable J. Ernest Kinard, for filing in your office.

Sincerely,

Jeannette C. VanGinhoven  
Assistant Attorney General

Enclosures

cc: The Honorable Thomas E. Pope, Solicitor  
Richard P. Stroker, Esquire  
Tara D. Shurling, Esquire  
Trisha Allen, Victims Assistance Counselor

STATE OF SOUTH CAROLINA )  
COUNTY OF YORK )  
2003 AUG 20 AM 8:16 )

FILED-RECEIVED  
DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

IN THE COURT OF COMMON PLEAS  
SIXTEENTH JUDICIAL CIRCUIT

2000-CP-46-1414

Antonio Gordon, #259798,  
Applicant,  
v.  
State of South Carolina,  
Respondent.

ORDER OF DISMISSAL

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

CERTIFIED TRUE COPY  
2006 JUL 27 PM 3:36

**PROCEDURAL HISTORY**

This matter comes before the Court by way of an Application for Post-Conviction Relief filed June 15, 2000. The Respondent made its Return on May 2, 2001. An evidentiary hearing into the matter was convened on July 29, 2003, at the Richland County Courthouse. The parties agreed to change venue from York County to Richland County pursuant to the Consent Order Changing Venue signed by the Honorable John C. Hayes, III. Due to conflicts with the judges in the Sixteenth Circuit, this case was transferred to the Fifth Circuit in order to conduct the PCR hearing in a more timely manner. *IN ADDITION A SPECIAL ORDER WAS EXCUTED* The Applicant was present at the hearing and was represented by Tara D. Shurling, Esquire. The Respondent was represented by Jeanette Van Ginhoven of the South Carolina Attorney General's Office.

At the hearing, the Applicant testified on his own behalf. Testifying on behalf of the State was Daniel D'Agostino, Esquire. This Court also had before it a copy of the transcript of the proceedings against the Applicant, the records of the York County Clerk of Court and the Applicant's records from the South Carolina Department of Corrections.

The records before this Court indicate that the Applicant is presently confined in the South Carolina Department of Corrections pursuant to the York County Clerk of Court's orders of

*Handwritten notes and signature*  
Tara D. Shurling  
20030715

commitment. On October 15, 1998, the York County Grand Jury indicted the Applicant for murder, three counts of possession of a firearm during the commission of a violent crime, two counts of attempted armed robbery, possession of a firearm by a person under twenty-one, and criminal conspiracy.

On July 16, 1999, the Applicant pled guilty as charged. On July 19, 1999, the Honorable John C. Hayes, III, sentenced the Applicant to thirty years imprisonment for murder, five years for each count of possession of a weapon during the commission of a violent crime, ten years for each count of attempted armed robbery, five years for criminal conspiracy, and five years for possession of a weapon by a person under twenty-one years of age. Daniel D'Agostino, Esquire, represented the Applicant.

A timely Notice of Appeal was filed on Applicant's behalf and an appeal was perfected. The South Carolina Court of Appeals was dismissed. State v. Antonio Gordon and Monta Gordon Op. No. 2000-UP-747 (S.C. Ct. App. filed December 6, 2000).

#### **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 at the post-conviction relief hearing. This Court has further had the opportunity to observe the witnesses presented at the hearing, closely pass upon their credibility and weigh their testimony accordingly. Set forth below are the relevant findings of facts and conclusions of law as required pursuant to S.C. Code Ann. §17-27-80 (1985).

In a post-conviction relief action, the Applicant has the burden of proving the allegations in the application. Rule 71.1(e), SCRPC; Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Where ineffective assistance of counsel is alleged as a ground for relief, the Applicant must prove that

 2

"counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (1984); Butler, Id.

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Butler, Id. The Applicant must overcome this presumption to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

### INEFFECTIVE ASSISTANCE OF COUNSEL

The Applicant claims guilty plea counsel was ineffective for failing to prepare his case for trial by (1) failing to challenge the indictments for lack of subject matter jurisdiction because the indictments were not filed with the Clerk of Court within ninety (90) days after his arrest; (2) failing to challenge the murder indictment for lack of subject matter jurisdiction because the indictment did not contain the requisite elements in the body of the indictment; (3) failing to challenge the attempted armed robbery indictments for lack of subject matter jurisdiction because the indictment did not contain the requisite elements in the body of the indictments; (4) failing to challenge the indictments since an agent of the state was the only witness before the grand jury; (5) failing to make a concerted effort to get the Solicitor to remand the case to the Family Court; (6) failing to adequately pursue the Applicant's competency to stand trial; (7) failing to make a double jeopardy argument since the Applicant was charged with attempted armed robbery and possession of a weapon during the commission of a violent crime; (8) failing to advise the Applicant that if he pled guilty he would waive his right to challenge the admissibility of his statements on direct appeal; and



(9) failing to advise the Applicant he would be subject to community supervision.

Courts use a two-pronged test in evaluating allegations of ineffective assistance of counsel. First, the Applicant must prove that counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under professional norms." Cherry, 300 S.C. at 117, 385 S.E.2d at 625, *citing Strickland*. 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. With respect to guilty plea counsel, the Applicant must show that there is a reasonable probability that, but for counsel's alleged errors, he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 106 S.Ct. 366, 88 L.Ed. 2d 203 (1985).

1. Failure to Challenge Subject Matter Jurisdiction Because Indictment Not Filed with Clerk of Court Within Ninety Days

The Applicant claims guilty plea counsel was ineffective for failing to challenge subject matter jurisdiction because the Applicant's indictments were not filed with the York Clerk of Court within ninety (90) days after his arrest. This allegation does not warrant relief. Each indictment was marked "True Bill" and signed by foreman of the grand jury. The failure to obtain an indictment within ninety days of arrest does not render it void for lack of jurisdiction. State v. Culbreath, 282 S.C. 38, 316 S.E.2d 681 (1984). This Court finds guilty plea counsel was not ineffective and that the Applicant has failed to show he was prejudiced by guilty plea counsel's performance. This Court further finds that the lower court had the subject matter jurisdiction to accept the Applicant's guilty pleas since the ninety day rule does not render an indictment void for lack of jurisdiction.



2. Failure to Challenge Subject Matter Jurisdiction Because the Murder Indictment Did Not Contain the Requisite Elements

The Applicant claims guilty plea counsel was ineffective for failing to challenge the murder indictment because the indictment failed to allege that the Applicant "willfully" and "feloniously" committed the crime. However, in Joseph v. State, the South Carolina Supreme Court held that a murder indictment was sufficient to confer subject matter jurisdiction on the court that accepted the defendant's guilty plea, even though the indictment omitted the words "willfully" and "feloniously," as the term "feloniously" was encompassed in "murder" and the term "willfully" was encompassed in "malice." 351 S.C. 551, 571 S.E.2d 280 (2002).

The Applicant's murder indictment read as follows:

That Antonio Gordon did in York County on or about July 23, 1998, with *malice aforethought*, kill one Eric Peter Krenn by means of shooting him with a firearm and said victim died as a result thereof, all in violation of Section 16-3-10, South Carolina Code of Laws (1976, as amended).

Although the Applicant's murder indictment did not state the words "willfully" or "feloniously", these words were encompassed by the words "kill" and "malice". Therefore, this Court finds guilty plea counsel was not ineffective for failing to challenge the murder indictment and that the Applicant was not prejudiced by guilty plea counsel's performance. This Court further finds that the lower court had subject matter jurisdiction to accept the Applicant's guilty plea to murder

3. Failure to Challenge Subject Matter Jurisdiction Because the Attempted Armed Robbery Indictments Did Not Contain the Requisite Elements

The Applicant claims guilty plea counsel was ineffective for failing to challenge the attempted armed robbery indictments because the indictments failed to allege the element of asportation.



The Applicant's indictments for attempted armed robbery read as follows:

That Antonio Gordon did in York County on or about July 23, 1998, while armed with a deadly weapon, attempt to *feloniously take from the person or presence* of Eric Krenn, by means of force or intimidation good or monies of said Eric Krenn to wit: one 1985 BMW belonging to said victim, all in violation of §16-11-330, Code of Laws of South Carolina, (1976, as amended).

In Locke v. State, 341 S.C. 54, 533 S.E.2d 324 (2000), the South Carolina Supreme Court held that the indictment language "taking of good and/or monies from the person or presence of" alleged the substance of asportation, one of the elements of common-law robbery and that this was sufficient because asportation merely meant the taking of an object with felonious intent. Therefore, this Court finds guilty plea counsel was not ineffective for failing to challenge the attempted armed robbery indictments and that the Applicant has failed to show he was prejudiced by guilty plea counsel's performance. This Court further finds that the lower court had subject matter jurisdiction to accept the Applicant's guilty pleas to attempted armed robbery.

4. Failure to Challenge Subject Matter Jurisdiction Because Only an Agent of the State Was a Witness Before the Grand Jury

The Applicant claims guilty plea counsel was ineffective for failing to challenge the indictments since an agent of the State was the only witness before the grand jury. The Applicant cites the case of State v. Anderson, 312 S.C. 185, 439 S.E.2d 835 (1993), to support this proposition.

In State v. Anderson, the South Carolina Supreme Court held that prosecutors cannot appear as a sole witness before the grand jury. In the Applicant's case, the witness before the grand jury was Officer Herring from the Rock Hill Police Department, not a prosecutor.

Further, the circuit court does not have subject matter jurisdiction to hear a guilty plea unless:

(1) there has been an indictment which sufficiently states the offense; (2) there has been a waiver of

 6

indictment; or (3) the charge is a lesser included offense of the crime charged in the indictment. Carter v. State, 329 S.C. 355, 362, 495 S.E.2d 773, 777 (1998). South Carolina law provides an indictment is sufficient if it "charges the crime substantially in the language ... of the statute prohibiting the crime or so plainly that the nature of the offense charged may be easily understood." S.C. Code Ann. §§ 17-19-20 (1985). "The true test of the sufficiency of an indictment is not whether it could be made more definite and certain, but whether it contains the necessary elements of the offense intended to be charged and sufficiently apprises the defendant of what he must be prepared to meet." Browning v. State, 320 S.C. 366, 368, 465 S.E.2d 358, 359 (1995). South Carolina courts have held that the sufficiency of an indictment "must be viewed with a practical eye; all the surrounding circumstances must be weighed before an accurate determination of whether a defendant was or was not prejudiced can be reached." State v. Adams, 277 S.C. 115, 125, 283 S.E.2d 582, 588 (1981), *overruled on other grounds by* State v. Torrence, 305 S.C. 45, 406 S.E.2d 315 (1991).

The indictments in this case were marked "True Bill" and signed by the grand jury foreman. The witness before the grand jury was a police officer and not a prosecutor. The elements of the crimes were sufficiently alleged in the indictments. Therefore, this Court finds that guilty plea counsel was not ineffective for failing to challenge the Applicant's indictments and that the Applicant has failed to carry his burden in this action by failing to show prejudice from guilty plea counsel's performance. This Court further finds that the lower court had subject matter jurisdiction to accept the Applicant's guilty pleas.

5. Failure to Make Concerted Effort to Get the Solicitor's Office to Remand Case to Family Court

The Applicant claims guilty plea counsel was ineffective for failing to make a concerted effort to get the Solicitor's office to remand the case to Family Court. The Applicant claims guilty



plea counsel never discussed the differences between Family Court and General Sessions Court.

Pursuant to S.C. Code Ann. §20-7-6605, a "person sixteen years of age or older who is charged with a Class A, B, C, or D felony as defined in Section 16-1-20 or a felony which provides a maximum term of imprisonment of fifteen years or more may be remanded to the family court for disposition of the charge at the *discretion of the solicitor.*" The Applicant was sixteen years old when he committed the crime for which he was indicted and the crimes committed were Class A, B, C or D felonies. Therefore, the General Sessions Court had jurisdiction. The decision to remand the case to Family Court was within the Solicitor's discretion.

Guilty plea counsel testified that he was appointed to the case after the Applicant was indicted. He testified that he researched the fact that the Applicant was a child at the time of the commission of the crimes. Guilty plea counsel further testified that he brought this issue to the Solicitor's attention but that the Solicitor's office gave intimations that they wanted to seek the death penalty in this case and that they would not remand this case to the Family Court. Further, the Applicant did not provide testimony from the Solicitor's office stating that they would have used their discretion and remanded the case to the Family Court.

Therefore, this Court finds that guilty plea counsel was not ineffective. This Court further finds that the Applicant has not shown that he was prejudiced by guilty plea counsel's performance.

6. Failing to Pursue Applicant's Competency to Stand Trial

The Applicant claims guilty plea counsel was ineffective for failing to pursue the Applicant's competency to stand trial. The Applicant claims that if this avenue had been explored, he would have had a defense to the charges.

Guilty plea counsel testified that he was concerned with the Applicant's mental state. The

State provided the testimony of Dr. Leslie Sandler. Dr. Sandler was qualified as an expert in forensic psychology, clinical psychology and substance abuse. (T. p. 9). Dr. Sandler testified that the Applicant was not mentally retarded. (T. p. 118). The trial court found the Applicant competent to stand trial. (T. p. 147).

Guilty plea counsel also hired a psychologist, Dr. Jonathan Venn. Dr. Venn was qualified as an expert in forensic and clinical psychology. (T. p. 108). Dr. Venn testified during the hearing concerning the admissibility of the Applicant's statements given to law enforcement. However, Dr. Venn was not able to come to an opinion concerning mental retardation. (T. p. 113).

A criminal defendant is competent to enter his guilty plea if "the accused [has] sufficient capability to consult with his lawyer with a reasonable degree of rational understanding and [has] a rational as well as a factual understanding of the proceeding against him." Jeter v. State, 308 S.C. 230, 417 S.E.2d 594, 596 (1992). An Applicant challenging his competency to plead must prove this allegation by a preponderance of the evidence. Id.

An Applicant claiming that trial counsel was ineffective in failing to pursue this defense "must produce some evidence of insanity or showing that with the exercise of due diligence, an insanity defense could have been developed." Jeter v. State, 308 S.C. 230, 233-34, 417 S.E.2d 594 (1992). The Applicant must show that he was "unable to distinguish moral or legal right from wrong and to recognize the particular act charged as morally or legally wrong."

The Applicant presented no testimony or evidence regarding the elements of the defense. The Applicant was also examined by two experts, one hired by the State and one by the defense, who either came to the conclusion the Applicant was not mentally retarded or could not reach an opinion. Therefore, this Court finds that guilty plea counsel was not ineffective. This Court further finds that the Applicant has not carried his burden in this action by showing he was prejudiced by

guilty plea counsel's performance.

7. Failure to Make Double Jeopardy Claim

The Applicant claims guilty plea counsel was ineffective for failing to make a double jeopardy claim since he was charged with attempted armed robbery and possession of a weapon during the commission of a violent crime.

In State v. Bolden, 303 S.C. 41, 398 S.E. 2d 494 (1990), the South Carolina Supreme Court held that punishment for both armed robbery and possession of a weapon during a violent crime does not violate double jeopardy. The Supreme Court held that the legislature clearly intended to provide additional punishment for possession of a weapon during the commission of a violent crime. Id.

Therefore, this Court finds guilty plea counsel was not ineffective for failing to make a double jeopardy challenge. This Court further finds that the Applicant has failed to show he was prejudiced by guilty plea counsel's performance.

8. Failure to Advise Applicant Appellate Rights are Waived Upon Entry of Guilty Plea

The Applicant claims guilty plea counsel was ineffective for failing to advise him that if he pled guilty, he would waive his right to appeal the admissibility of his statements to law enforcement officers. The Applicant testified that he would have continued to trial if he knew pleading guilty would waive his right to attack his pre-trial issues.

However, guilty plea counsel testified he advised the Applicant of his appellate rights and that if he pled guilty he could not appeal issues raised prior to the plea. The trial judge also informed the Applicant of his appellate rights during his guilty plea. (T. p. 205). The Applicant subsequently filed an appeal that was later dismissed. Antonio Gordon and Monta Gordon v. State of South Carolina, 2000-UP-747, filed December 6, 2000.

This Court finds the testimony of guilty plea counsel to be more credible than that of the Applicant. This Court finds that guilty plea counsel was not ineffective and that the Applicant has failed to carry his burden in this action by showing he was prejudiced by guilty plea counsel's performance.

9. Failure to Advise of Community Supervision

The Applicant claims guilty plea counsel was ineffective for failing to advise the Applicant he would be subject to community supervision by the South Carolina Department of Corrections.

Guilty plea counsel testified that he did not advise the Applicant concerning community supervision.

However, community supervision is a collateral consequence of a guilty plea. As such, guilty plea counsel was not ineffective for failing to advise the Applicant of community supervision. *See*

Smith v. State, 329 S.C. 280, 494 S.E.2d 626 (1997), (counsel is not ineffective for failing to advise a defendant regarding parole eligibility because it is a collateral consequence of sentencing.)

Therefore, this Court finds guilty plea counsel was not ineffective and that the Applicant has failed to show he was prejudiced by guilty plea counsel's performance.

As discussed above, the Applicant has failed to carry his burden in this action. Therefore, this Court finds that the application must be denied and dismissed.

**CONCLUSION**

Based on all the foregoing, this Court finds and concludes that the Applicant has not established any constitutional violations or deprivations that would require this court to grant his application. Therefore, this application for post conviction relief must be denied and dismissed with prejudice.

This Court advises Applicant that he must file a notice of intent to appeal within thirty (30)

days from the receipt of this Order to secure the appropriate appellate review. His attention is also directed to South Carolina Appellate Court Rule 227 for appropriate procedures after notice has been timely filed.

**IT IS THEREFORE ORDERED:**

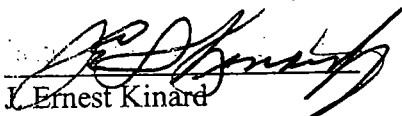
1. That the Application for Post-Conviction Relief must be denied and dismissed with prejudice; and
2. The Applicant must be remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 18 day of AUG, 2008

DAVID HAMILTON  
CLERK OF COURT  
SPRING COUNTY, SC

2008 JUL 27 PM 3:36

CERTIFIED TRUE COPY

  
Ernest Kinard  
Presiding Judge  
Fifth Judicial Circuit

Comde, South Carolina.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF YORK )

IN THE COURT OF COMMON PLEAS  
Sixteenth Judicial Circuit  
2000-CP-46-1414

Antonio Gordon, )  
 )  
Applicant, )

vs

State of South Carolina, )  
 )  
Respondent. )

AFFIDAVIT OF SERVICE BY MAIL

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

2003 AUG 20 PM 3:42

FILED-REDFORD

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

Personally appeared before me, Jeanette VanGinhoven, who being first duly sworn,  
states:

1. That I am an employee of the Office of the Attorney General.
2. That regular communication by mail exists throughout the State of South Carolina, and that this is a proper circumstance of service by mail.
3. That I have this day served a copy of the Order in the above-captioned matter on the following persons by depositing same in the United States mail, postage prepaid:

Tara D. Shurling, Esquire  
3614 Landmark Drive, Suite D  
Columbia, South Carolina 29204

DATED this 19th day of August, 2003.

*Jeanette VanGinhoven*  
JEANETTE VANGINHOVEN

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

2006 JUL 27 PM 3:36

CERTIFIED TRUE COPY

SWORN to before me this  
19<sup>th</sup> day of August 2003.

*Kia C. Gains* (L.S.)  
Notary Public for South Carolina  
My Commission Expires: *June 2, 2007*



# CLERK OF COURT'S OFFICE

P.O. Box 649, York, South Carolina 29745

## CERTIFICATE OF TRANSMITTAL

TO: Richland County CLERK OF COURT

In accordance with the Order of Judge John C Hayes III  
dated June 26, 2003, we have enclosed the original pleadings, orders, and  
other papers which have been filed in the following case:

Antonio Gordon #259798

Vs.

State of SC

File No. 2000 CP 46-1414

David Hamilton  
Clerk of Court, York County

Receipt of the above file is hereby acknowledged this \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_.

By: (Name and Title)

\*\*\* Please return signed copy to York County Clerk of Court, Post Office Box 649,  
York, South Carolina 29745.

STATE OF SOUTH CAROLINA )  
COUNTY OF YORK )

IN THE COURT OF COMMON PLEAS  
SIXTEENTH JUDICIAL CIRCUIT

FILED-RECEIVED  
2003 JUL -1 PM 12:15

2000-CP-46-1414

DAVID HAMILTON  
C.C.P. & J.S.  
YORK COUNTY, SC

Antonio Gordon, #259798,

Applicant,

vs.

State of South Carolina,

Respondent.

CONSENT ORDER CHANGING VENUE

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC


2013 NOV -8 AM 9:46

CERTIFIED TRUE COPY

This matter comes before the Court by way of an Application for Post-Conviction Relief filed June 15, 2000. The Respondent made its Return on May 2, 2001.

This matter is presently before the Court to change venue in order to conduct the PCR hearing. The trial judge in this matter was the Honorable John C. Hayes, III. The other judge for the Sixteenth Circuit, the Honorable Lee S. Alford, has recused himself due to a conflict. Judge Alford heard oral arguments and ruled on discovery issues in the Applicant's case before his trial occurred. Because both judges for the Sixteenth Circuit are unable to hear this case, this case should be transferred to Richland County for the PCR hearing in order for the case to be heard in a more timely manner.

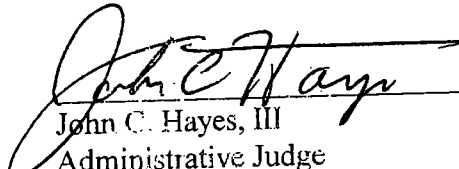
It appearing that counsel for both parties as well as the Applicant consent to the change of venue this Application for Post-Conviction Relief is transferred to Richland County for the sole purpose of conducting the PCR hearing. The Applicant further agrees to allow Judge Hayes to sign this Order for Change of Venue in his capacity as Administrative Judge for the Sixteenth Judicial Circuit even though he was the actual trial judge



IT IS THEREFORE ORDERED:

1. That this case is transferred from York County to Richland County for the sole purposes of conducting the PCR hearing; and
2. That this case will remain as a Sixteenth Circuit PCR for the purposes of filing pleadings and other documents because the county of conviction is York County.

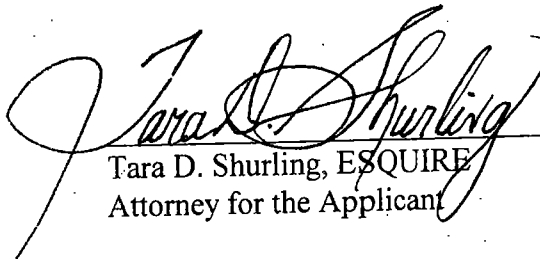
AND IT IS SO ORDERED this 26<sup>th</sup> day of June, 2003.


  
John C. Hayes, III  
Administrative Judge  
Sixteenth Judicial Circuit

June 26<sup>th</sup>, South Carolina.

WE CONSENT:

  
Applicant

  
Tara D. Shurling, ESQUIRE  
Attorney for the Applicant

  
JEANETTE VAN GINHOVEN, ESQUIRE  
Attorney for the Respondent

*due*

FROM

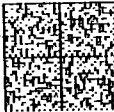
**York County**  
**Clerk of Court's Office**

P.O. Box 649  
York, SC 29745

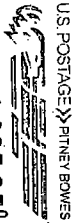
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Attn: Brenda Shealy  
1231 Gervais Street  
Columbia, SC 29201

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