

NOTICE OF APPEAL FROM COMMON PLEAS REGARDING A
POST CONVICTION RELIEF

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Jan 12 2026

APPEAL FROM YORK COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Edward W. Miller, Circuit Court Judge

Case No. 2018-CP-46-00261

The State,.....Respondent,

Eric N. Patton,.....Appellant,

Notice of Appeal

Eric N. Patton appeals the order of the Honorable Edward W. Miller, dated November 14, 2025, which denied his application for Post-Conviction Relief with prejudice. Appellant received written notice of the order on December 17, 2025.



Ola Johnson, SC Bar No. 68563
PO Box 549
Lexington, South Carolina 29071
(803) 360-8692

Other Counsel of Record:
Zachary W. Jones
Post Office Box 11549
Columbia, SC 29211

(803)734-3737

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)
Eric Neal Patton, #313922,)
Applicant,)
v.)
State of South Carolina,)
Respondent.)

IN THE COURT OF COMMON PLEAS
FOR THE SIXTEENTH JUDICIAL CIRCUIT

Case No.: 2018-CP-46-00261

ORDER OF DISMISSAL

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ANGIE M. BRIDGEMAN
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YORK COUNTY, S.C.

This matter comes before the Court by way of an application for post-conviction relief (“PCR”) filed by Eric Neal Patton (“Applicant”) on January 31, 2018. The Court convened an evidentiary hearing into the matter on August 31, 2022, at the Moss Justice Center in York, South Carolina. Applicant was present at the hearing and was represented by Ola Johnson, Esquire. Assistant Attorney General Zachary W. Jones, of the South Carolina Attorney General’s Office, represented Respondent.

After reviewing all records and evidence before the Court, this Court finds Applicant cannot meet his requisite burden of proof of establishing he is entitled to post-conviction relief and denies and dismisses this application with prejudice. The Court finds as follows:

I. Procedural History

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the York County Clerk of Court. In June 2017, the York County Grand Jury indicted Applicant for two counts of possession of a firearm by a person convicted of a violent offense (2017-GS-46-2727; 2017-GS-46-2729). In July 2017, the York County Grand Jury indicted Applicant for armed robbery (2017-GS-46-3197), second degree domestic violence (2017-GS-46-3199), possession of crack cocaine (2017-GS-46-3202), and two counts of armed

robbery and possession of a weapon during the commission of a violent crime (2017-GS-46-3223; 2017-GS-46-3224). In September 2017, the York County Grand Jury indicted Applicant for intimidation of court officials, jurors or witnesses (2017-GS-46-4134). Geoffrey Dunn, Esq. (“Counsel”) represented Applicant. Deputy Solicitor Willy Thompson prosecuted the case.

On September 18, 2017, Applicant appeared before the Honorable John C. Hayes, III, where he pled guilty as indicted. Pursuant to a negotiated sentence between the State and the Applicant, Judge Hayes sentenced Applicant to imprisonment for concurrent terms of five years for one of the counts of possession of a firearm by a person convicted of a violent offense (2017-GS-46-2729), fourteen years each for armed robbery, five years for possession of crack cocaine, five years each for possession of a weapon during the commission of a violent crime, and ten years for intimidation of court officials, jurors or witnesses, as well as a consecutive term of four years for the second count of possession of a firearm by a person convicted of a violent offense (2017-GS-46-2727), for a total of eighteen years. Applicant did not appeal his conviction or sentence.

II. Facts Giving Rise to the Conviction

The underlying facts of the crime for which Applicant is incarcerated were articulated by the State during the plea proceedings as follows:

We'll start off with the two robberies at the Sam's Mart, the two armed robberies, one on July 6th, 2016, the other on December 7th of 2016. Those are the indictments 3223, 3223(A) and 2727 as to July 6th, and 3224 and 3224(A) and 2729 for December 7th. Both are these are the same Sam's Mart in Fort Mill at 810 Tom Hall Street. Both of these occurred late at night, early morning hours, actually, in the early morning hours of the days that they occurred, both by young black male fitting the description of the defendant, dressed similarly in each one, having hoodies on both times, having mask covering the face, basically from the bridge of the nose down and at least the first one's shoes, as well, they ultimately would be able to identify by one of the witnesses. On the July 6th robbery, the defendant came in demanding money from the clerk at that time, held her at gunpoint, actually, racked the semi-automatic weapon

while he was holding it towards her and said at one point he would shoot her as he demanded money. She provided everything that was in the cash drawer, which was approximately two hundred dollars and I'll clarify something, Your Honor, while there would be restitution, the State's not seeking restitution in these cases because of the jail sentence. He -- the witness was able to describe him but not identify him. In the December 7th robbery, also at the Sam's Mart, a very similar thing happened, the clerk said the defendant thought -- had what she thought was a gun, but she couldn't quite tell and you can see that he does have something in his hand that appears to be a weapon when he's robbing the clerk that evening, and he is telling her that he -- once again, some of the same things, that would (sic) shoot her and demanded the money. She did the same thing when she took money out of the drawer and handed him all the money that was there. The police saw these -- basically it took a little bit of time, because the person who did the robberies, as I said, was a hoodie covering the identity, as well as gloves and -- so no forensic evidence to link at that point in time. However, through their investigation, ultimately, the defendant asked to speak with the police with his attorney, Mr. Dunn, and at that time was going to give them information regarding other crimes that other people that he knew had done in the Fort Mill area. When he did that, he, actually, mentioned that the Sam's Mart crime from July 6th put himself, basically, at the crime scene during the time that it happened, not saying he was at Sam's Mart but right across the street at the fruit stand, and the way he described it to the police had information that only the police would've known and, uh, as far as the person robbing and where they came from and where they went, however, they realized it couldn't have gone the way that, ultimately, the defendant said they did as far as when he left, the suspect left, because they had video from various places around that showed that that wasn't the case. So they began to investigate him as a possible suspect, and in doing so, they contacted -- and another point is the mother of his child, Laura Lawrence, actually, asked to speak with law enforcement or did speak with law enforcement regarding some of the things Eric Patton had done and she told them that Eric Patton had committed the crime at the Sam's Mart, that he had talked to her about the Crimestopper's photos that were used by the police when this happened and said that that was him in the Crimestopper photos, she could tell by his stance, she could tell by the clothes that he was wearing, because they were some of her clothes, in particular the jacket that was a zip-up hoodie, and the shoes that she said were both hers, and we confirmed from that that her father buys her those sorts of hoodies all the time and he confirmed that with us and would've testified to that. She, as well, when asked if Eric had anyone that he went around with that had a silver car, told him about

Amber Stewart having a silver car. At that point the police through video were able to see that the person who left the Sam's Mart got into a silver car very close by in the Walmart parking lot next US Tire (sic) and left in that silver car. They had been able to narrow it down to two different makes and models, so they went to where Amber lived in Lancaster County, took photos of her car and it was one of the two models that they had narrowed it down to. When they spoke to Amber, she told them that she had brought the defendant to Fort Mill that night and that he had claimed that he was going to get money from his aunt. She said she dropped him off and he said he didn't want her to see where he went and asked her to go park in a certain spot and to stay there at this dark spot next to a house along side of the road right near where the crime would've been committed. She said she pulled there but became very scared because it was dark, that she thought she herself was going to be robbed, so she pulled up next to US Tire (sic) in the Walmart parking lot as you can see in the video and stayed there. Just ten to 15 minutes later the defendant came running back to the car which you can see in the video and as you string the videos together you can see him come out -- go in the Sam's Mart, after that robbery run out of Sam's Mart across the back of the thing (sic) to this -- where he thought she was going to be parked and she had reaped from, then up that street and then turning to the defendant's left going to where she had parked in the Walmart -- the end of the Walmart parking lot next to US Tire (sic) and getting in the vehicle. She then backs out and starts to leave and then as she said, started to pull back towards where she had originally come from, he stopped her and said, no, go the other way, so she went the other way. She would've testified that when he got in the car that he was suddenly wearing now a hoodie and a mask and gloves and that he was saying, go, go, go, and that he was very nervous. She said that, uh, she was asking him what he had done and he wouldn't say, but then he, ultimately, told her as they were leaving that she needed to report the car stolen, because someone might've seen it, and so she did not report that to police right away, but the story she gave to the police without knowing any prior events of the robbery or the video the police had of her car, she described exactly what you can see on the video, so it was verified what she said. In addition, she said on the December 7th robbery, she had also taken the defendant again to Fort Mill and dropped him off to get some money, and at that point was told to park at a different spot in some parking complex where she did and she said that the police, actually, by sheer accident I think, pulled in behind her and started asking if she had seen a black male running from that area and she said no, but she was, basically, stuck there unable to take -- pick the defendant back up because of that for some period of time. We were able to confirm that that did happen. We have the

police video from that incident, and the defendant called -- she went back to Rock Hill and the defendant called her later to come pick her (sic) up again. When she saw the video in the -- of each of these robberies, she identified the person on the video as the defendant and said the voice on the video was Mr. Patton; she would've testified to that as well. She also would've testified that she picked him up from each of these robberies after they had occurred.

Your Honor, as to the domestic violence, that occurred -- that is Indictment 3199 -- and that occurred on September the 2nd of 2016 when Rock Hill officers responded to the corner of Cherry Road and Oakland Avenue. A domestic had been reported to a Winthrop University officer and it was Laura Lawrence, and Ms. Lawrence does have a child in common with Eric Patton and they have lived together off and on for quite some time. She told the Winthrop officer that she had been -- that Eric had assaulted her at her house and forced her to stay there, that she was unable to use the phone, and he questioned her rather thoroughly about a possible nother (sic) relationship forcing her to confess as she said at that time, as well as striking her. Ultimately, she recanted her initial statement and that she did that, I believe, just within a day or so of it, actually, happening. However, on the scene they were able to see that she did have a swollen lip and swollen eye that was consistent with what she had said had happened as far as her being assaulted by the defendant. So the basis of that or the physical evidence that we find of Laura Lawrence the domestic violence second, and as I said, we -- that is reduced from a domestic violence of a high and aggravated nature.

As to the harassment second, Your Honor, that is Indictment 2623 and that occurred on January 16th through the 18th of 2017 here in York County. Officers were dispatched to 216 Avery Street in Fort Mill where a Karen Williams was, and she reported that the defendant was repeatedly sending her unwanted texts at that time and that she had contacted him to stop, and as well, law enforcement contacted him, I believe, to stop as well and telling him to stop the communications. However, on the 18th, she had to call law enforcement again saying that the defendant was continuing to harass her, that that included reporting her falsely to DSS about the allegations regarding her children, that DSS had gone to where her daughters were in school and interviewed -- where her daughter was in school and interviewed her and she was very angry, of course, that he had continued this texting and this false-reporting, harassing her, so she -- he was charged with harassment second degree at that time as well.

As to the final armed robbery, that is Indictment 3197, that occurred on January 19th of 2017. That was Rebecca Sakach and she is the clerk for Dominos who was delivering pizza that night.

She had gotten a call from an area near where the defendant was staying with Laura Lawrence. When she arrived, it was a person that just said their name was Tommy, someone -- a black male matching the defendant's description wearing dark clothing, short buzzed hair and a baggy dark jacket, ultimately, robber her of her purse saying if she had change for a hundred. She tried to go back to her car where the defendant pulled what she thought was a gun on her at that time. She gave him her cash, which was in a small purse that was personalized to herself -- it was a lady's small purse. It had about \$12 dollars cash in it; the defendant took it and ran off. Ultimately, in their investigation of that, once again, Laura Lawrence was able to tell them that she remembered the day that that Pizza robbery occurred. She remembered police coming and investigating and that the defendant had run around in a way that he only does when he's done something that he's trying to hide from, and when he came back that he had a change purse that was a woman's change purse that, ultimately, she had gotten rid of and thrown out of the back of her house across the fence and into some brush. When she told officers that's -- that's where she threw it, they went and investigated and they found the change purse there and were able to have it identified by the victim in that case. Now, while the victim couldn't be 100 percent certain in a photo line-up of the defendant, she was, as she said, 75 percent certain, but this does link back, according to what Laura Lawrence said and what they found to prove that he had taken the purse, and that would've been from the date this robbery and the time that this robbery occurred, once again, the defendant meeting that description.

As to the possession of crack cocaine second offense, this is Indictment 3202 and it occurred on February 2nd, 2017; that was the day that the defendant had been arrested on the charge -- on many of the charges before the Court now. They had reported to a hotel disturbance at that time where Mr. Patton was accused at that point of helping Ms. Lawrence to rob someone; those are part of the charges that are being dismissed. However, in the hotel room that they were sharing, they did find remnants of crack cocaine on the nightstand as well as crack pipe and some crack residue in the pocket of a jacket that was identified as the defendant's by Mr. -- by Ms. Lawrence, and uh, ultimately, he was charged with the possession of crack cocaine at that time, as well.

And the final Indictment 4134 for the intimidating of a witness, Your Honor, this mainly came about by a letter that was sent by the defendant when it was intercepted by the police, but as well it was -- became clear as the police monitored some of the calls the defendant made from the detention center that he was using code for witness names, that he was trying to get other people to contact those witnesses to prevent them from testifying. Some of those

witnesses include someone who was (sic) recently gotten out of jail, John Harfield who was considered a violent offender. He pled before the Court a number of years ago but was recently released, who was friend of Mr. Patton's, in which he had used certain language made it sound like he was asking Harfield to take care of the witnesses and to take care of this situation, that he knew what to do, things of that nature. Thankfully, that letter was not delivered, but the attempt had been made by the defendant, both that way and through trying to contact relatives and friends through relatives to contact the various witnesses in the case. That was confirmed by the witnesses that they felt that they were being threatened when they were contacted by some people that were related to the defendant and that they felt that they were being targeted to change their testimony or to change what they would testify to, in particular, Amber Stewart is of concern that in some instances with Laura Lawrence.

(Plea Tr. pp.17–27).

III. Current Application

In his initial, *pro se* PCR application, Applicant raised the following allegations:

- I. “Ineffective Assistance of Counsel”
 1. **“Counsel ineffective for not explaining the legal system and petitioner’s case to petitioner.”**
 2. **“Counsel ineffective for failing to disclose and explain all discovery material to petitioner.”**
 3. **“Counsel ineffective for not contacting, interviewing and investigating victims and witnesses.”**
 4. **“Counsel ineffective for failing to prepare for petitioner’s case by not investigating the evidence, facts, and the circumstances of the case.”**
 5. **“Counsel failed to go over or even consider possible defenses with petitioner.”**
 6. **“Counsel ineffective for coercing and threatening petitioner into pleading, instead of advising petitioner to go to trial.”**
 7. **“Counsel failed to inform petitioner of his right to appeal his plea decision and file for notice to appeal plea decision.”**
 8. **“Counsel improperly advised petitioner to accept plea which was not in his best interest.”**
 9. **“Counsel failed to advocate the petitioner’s cause.”**
 10. **“Counsel failed to file motion for bond hearing-after repeated request.”**
 11. **“Counsel failed to investigate the backgrounds of the victims and witnesses.”**
 12. **“Counsel failed to investigate background of co-defendant.”**
 13. **“Counsel failed to obtain defense expert witness.”**
 14. **“Counsel failed to object to prosecutor’s statements at plea sentencing as to what uncalled witnesses and victims would have testified to.”**

15. "Counsel failed to file for a sentence reconsideration."
- II. "Prosecutor/Solicitor Misconduct"
 1. "Prosecutor committed prosecutor misconduct by contacting the petitioner's family and telling the petitioner's family to coerce petitioner to plea."

As relief, Applicant requests "for convictions and sentences vacated and to be released from custody, or convictions and sentences reversed and remanded for new trial."

On November 19, 2018, Applicant, through counsel, filed an amended application raising the following allegations:

"Ineffective Assistance of Counsel as to Geoffrey Dunn, Esquire:

- a. Failure to properly investigate Applicant's case including but not limited to interviewing potential witnesses and evaluating the veracity of evidence sought against Applicant.
- b. Failure to adequately provide Applicant with all discovery and properly discuss all discovery and evidence sought against him prior to Applicant accepting his plea bargain.
- c. Failure to properly counsel, discuss, and explain the pending charges, sentencing, and consequences so that Applicant could make an informed decision as to whether to accept a plea bargain or pursue a trial.
- d. Failure to discuss possible defenses and challenges to the evidence with Applicant.
- e. Failure to advise Applicant of his right to appeal."

On July 28, 2020, Applicant, through counsel, filed a second amended application raising the following allegations:

1. Applicant was sentenced for violating his probation at this plea under probation warrant numbers W-46-16-0376, W-46-16-0289 and W-46-17-0153 and received a sentence of 3 years 6 months on each concurrent.
2. Prior to the guilty plea, Applicant's counsel failed to explain the details of the Applicant's guilty plea and sentencing.
3. Applicant's counsel failed to explain the deadline or process for filing an appeal after the plea.
4. Applicant's counsel failed to provide a copy of the State's evidence to the Applicant.
5. Applicant's counsel failed to interview or investigate Laura Lawrence or Amber Stewart regarding these charges.
6. Applicant's counsel failed to provide a copy of a statement from the victim on the domestic violence charge, Laura Lawrence, that recanted her allegation, to the solicitor's office.
7. Applicant's counsel stated to the applicant that the 4-year consecutive sentence would be concurrent and that charges in Charlotte and Lancaster would be dismissed as part of the plea.
8. Applicant's counsel failed to obtain a handwriting expert to verify the origin of a letter used as evidence against the applicant for the intimidation of a witness charge.

9. Applicant's counsel failed to contact applicant's nephew Keon Harris as a witness to the Domestic Violence charge.
10. Applicant's counsel failed to contact applicant's grandmother Willie May or Uncle Luther Patton as alibi witnesses for the Armed Robbery dated 1-19-17.
11. **Applicant's counsel failed to obtain or request a drug analysis related to the drug charge.**
12. **Applicant's counsel (along with Willy Thompson and Jenny Desch) coerced the applicant into entering the guilty plea by having the applicant's brother Kevin Patton and sister Natalia Harris appear in a meeting with applicant at the courthouse to pressure him into accepting the plea offer from the state.**
13. **Following the plea Applicant's counsel failed to file a motion to reconsider the sentence.**

At the outset of the evidentiary hearing, Applicant clarified that he was proceeding only on allegations 1, 3, 4, 6, 7, 8, and 10 from his initial application and allegations 1, 2, 3, 4, 5, 6, 7, 11, 12, and 13 from his second amended application, dropping his other allegations.

IV. Findings of Fact and Conclusions of Law

This Court has reviewed the testimony presented at the evidentiary hearing, observed the witnesses presented at the hearing, and weighed the testimony accordingly. Before the Court are Applicant's records from the South Carolina Department of Corrections, the transcript of Applicant's plea proceeding, the records of the York County Clerk of Court regarding the subject convictions, and the initial and amended applications for post-conviction relief. This Court has reviewed the records submitted to it by the parties, the legal arguments made by Applicant and Respondent, and the pleadings. Pursuant to S.C. Code Ann. § 17-27-80, this Court makes the following findings based upon all of the probative evidence presented:

Ineffective Assistance of Counsel, Generally

Applicant raises multiple allegations of ineffective assistance of Counsel. Applicant claims that Counsel's various errors rendered his guilty plea involuntary and unintelligent. This Court finds all of Applicant's allegations meritless.

In a PCR action, Applicant bears the burden of proving the allegations in his application.

Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Applicant must prove his factual allegations by a preponderance of the evidence. Rule 71.1(e), SCRCP.

Where the application alleges ineffective assistance of counsel as a ground for relief, Applicant must prove that “counsel's conduct so undermined the proper functioning of the adversarial process that [it] cannot be relied upon as having produced a just result.” *Strickland v. Washington*, 466 U.S. 668, 686 (1984); *Butler*, 286 S.C. at 442, 334 S.E.2d at 814.

In evaluating allegations of ineffective assistance of counsel, the reviewing court applies the two-pronged test outlined in *Strickland*. First, Applicant must prove that counsel’s performance was deficient. *Strickland*, 466 U.S. at 686; *Cherry v. State*, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989). Under this prong, the court measures an attorney’s performance by its “reasonableness under prevailing professional norms.” *Cherry*, 300 S.C. at 117, 386 S.E.2d at 625 (quoting *Strickland*, 466 U.S. at 690). The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. *Butler*, 286 S.C. at 442, 334 S.E.2d at 814. “Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment.” *Id.* (citing *Strickland*, 466 U.S. at 690). The Court, in determining deficiency, must affirmatively entertain the range of possible reasons counsel may have had for proceeding as they did. *Cullen v. Pinholster*, 563 U.S. 170, 196 (2011); *Harrington v. Richter*, 562 U.S. 86, 109–10 (2011).

Second, counsel's deficient performance must have prejudiced Applicant such that “there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different.” *Cherry*, 300 S.C. at 117–18, 386 S.E.2d at 625. A reasonable probability is “a probability sufficient to undermine confidence in the outcome.” *Strickland*, 466 U.S. at 694. In the context of a guilty plea, the applicant must show there is a reasonable

probability that, but for counsel's errors, he or she would not have pled guilty but, instead, would have insisted on going to trial. *Hill v. Lockhart*, 474 U.S. 52, 59 (1985). Because a guilty plea is a solemn, judicial admission of the truth of the charges against an individual, the PCR applicant's right to contest the validity of such a plea is usually, but not invariably, foreclosed. See *Blackledge v. Allison*, 431 U.S. 63, 74 (1977) ("Solemn declarations in open court carry a strong presumption of verity. The subsequent presentation of conclusory allegations unsupported by specifics is subject to summary dismissal, as are contentions that in the face of the record are wholly incredible."). Absent valid reasons why the applicant is entitled to depart from the truth of his statements made at the plea hearing, those statements should be deemed conclusive. *Dalton v. State*, 376 S.C. 130, 137–38, 654 S.E.2d 870, 874 (Ct. App. 2007) (citing *Crawford v. United States*, 519 F.2d 347, 350 (4th Cir. 1975)).

"Indeed, where a thorough colloquy is conducted, courts must exercise caution in setting aside the guilty plea." *Garren v. State*, 423 S.C. 1, 12, 813 S.E.2d 704, 712 (2018). "[T]he principle of finality . . . is essential to the operation of our criminal justice system," *Teague v. Lane*, 489 U.S. 288, 309 (1989), and the strong societal interest in finality has "special force with respect to convictions based on guilty pleas." *United States v. Timmreck*, 441 U.S. 780, 784 (1979). Accordingly, courts should not upset a plea based solely on a defendant's *post hoc* assertions about how he would have pleaded but for his attorney's alleged deficiencies. *Lee v. United States*, 582 U.S. 357, 368–69 (2017); see *Jamison v. State*, 410 S.C. 456, 469–71, 765 S.E.2d 123, 129–30 (2014) (observing that "guilty plea[s] must be treated as final in the vast majority of cases" and instructing that caution must be exercised so as not to "undermine the solemn nature of a guilty plea and the finality that generally attaches to a guilty plea").

In this case, Applicant pleaded guilty under *Alford* to a host of charges in exchange for a

negotiated sentence of fourteen years, concurrent, on his three armed robbery charges, with lesser concurrent sentences on all other charges except possession of a firearm, for which he received a consecutive four-year sentence. (Plea Tr. p.33, line 1–p.34, line 7). The transcript reflects that, had he proceeded to trial instead, he would have been facing a mandatory minimum sentence of life imprisonment without parole (“LWOP”). (Plea Tr. p.8, lines 6–13). Judge Hayes conducted a thorough colloquy on the record, explaining each of the charges to which Applicant was pleading, their potential penalties, the terms of the plea agreement, and the rights Applicant was waiving by entering the plea; Applicant consistently acknowledged that he understood those things. (Plea Tr. p.6, line 21–p.17, line 8). Applicant also informed the court that, apart from the plea agreement stated on the record, no one had made any promises or threats to induce him to plead guilty. (Plea Tr. p.13, lines 15–23). Judge Hayes asked Applicant *twice* whether he was entering his plea to the charges freely and voluntarily, and Applicant replied both times that he was. (Plea Tr. p.14, lines 4–16). Applicant acknowledged the State’s version of the facts, and he also acknowledged his existing probationary sentences that would be violated by the plea. (Plea Tr. p.28, line 1–p.29, line 19).

Applicant’s clear and consistent responses to Judge Hayes’ thorough questioning during the guilty plea colloquy indicate that his plea was both intelligent and voluntary. The Court also finds Applicant was not likely to be confused by any aspect of the plea proceeding, since the record reflects Applicant already had experience in the criminal justice system. Applicant’s solemn statements during the plea proceeding “carry a strong presumption of verity.” *Blackledge*, 431 U.S. at 74. Accordingly, Applicant bears the burden of showing “valid reasons” why his statements should not be considered conclusive. *Dalton*, 376 S.C. at 137–38, 654 S.E.2d at 874. With these principles in mind, the Court now examines the specific allegations of ineffective

assistance of counsel Applicant presented at the PCR hearing:

Allegation 1 and Amended Allegations 1, 2, and 7: Failure to explain details and consequences of Applicant's guilty plea

Applicant alleges Counsel was ineffective for failing to explain the details and consequences of his guilty plea. Specifically, Applicant alleges Counsel failed to explain that his guilty plea proceeding would cover the revocation of his probation in addition to his other charges. He also alleges Counsel told him that his sentence on the possession of a firearm charge would be concurrent rather than consecutive and that Counsel would "take care" of additional pending charges in Lancaster County and in Charlotte-Mecklenburg. The Court finds Applicant has not met his burden of proof as to these allegations.

At the evidentiary hearing, Applicant admitted that he knew his guilty plea would establish a violation of his existing probationary sentences; however, he claimed he had no idea that the probation officer was going to be attending the plea proceeding until he arrived at the courtroom. Even accepting this testimony as true, the Court finds Applicant has failed to prove prejudice based on this allegation. Since Applicant knew his guilty plea would result in revocation of his probation, it does not seem likely that the presence or absence of his probation officer at the courtroom during the plea hearing would have made any difference to Applicant's willingness to plead. In fact, Applicant appears to admit that he became aware of his probation officer's presence at the time he arrived at the courtroom, *prior* to entering the plea. Nevertheless, Applicant proceeded to enter the plea anyway. Finally, Applicant asserts in his second amended PCR application that he received sentences of three years and six months, concurrent, on each of his probation revocations; these sentences were far less than the negotiated sentence and far less than the mandatory LWOP he was facing if he proceeded to trial. For all of the above reasons, the Court finds Applicant has

failed to prove a “reasonable probability” that he would have rejected the plea agreement and insisted on a trial had Counsel more thoroughly explained the probation issue to him.

Applicant also claimed Counsel erroneously told him that his additional four-year sentence on the firearm possession charge would be concurrent rather than consecutive. Counsel, however, testified at the PCR hearing that he explained the difference between concurrent and consecutive sentences and that he told Applicant the four-year sentence on the firearm charge would be consecutive. Counsel explained that he negotiated with Deputy Solicitor Thompson to structure the sentence in that way, in the hope that Applicant would receive a little bit of a benefit from serving his non-violent sentence after the conclusion of his violent sentence. Counsel’s testimony is corroborated by the transcript of the plea proceeding, where Counsel explains that the negotiated sentence was deliberately structured around a fourteen-year concurrent sentence on the most serious charges plus a consecutive four-year non-violent sentence. (Plea Tr. p.32, lines 14–22).

The Court finds Counsel’s testimony credible, and Applicant’s contrary testimony not credible, on this point. Moreover, the transcript of the plea proceeding clearly reflects that Applicant was made aware of the four-year consecutive sentence prior to pleading guilty. (Plea Tr. p.5, lines 8–19; p.13, lines 15–20). “In considering an allegation on PCR that a guilty plea was based on inaccurate advice of counsel, the transcript of the guilty plea hearing will be considered to determine whether any possible error by counsel was cured by the information conveyed at the plea hearing.” *Dalton*, 376 S.C. at 138–39, 654 S.E.2d at 874. Accordingly, the Court finds Applicant has proven neither deficiency nor prejudice as to this allegation.

Applicant also claimed at the PCR hearing that Counsel promised to “take care” of additional pending charges in Lancaster County and in Charlotte-Mecklenburg if Applicant agreed to take the plea deal. Counsel, however, denied this claim. Counsel testified that Applicant did

not even have any charges pending in Lancaster County until after the plea. Counsel also testified he had no control over anything in Charlotte and would not have promised Applicant that his Charlotte charges would be dismissed. Counsel testified he may have said he would “look into” the Charlotte charges, but he would not have led Applicant to believe he could make those charges go away.

The Court finds Counsel’s testimony credible, and Applicant’s contrary testimony not credible, as to this issue. During the plea proceeding, there was no mention of additional pending charges in Lancaster County or in Charlotte-Mecklenburg being affected by the plea agreement. Moreover, Applicant explicitly denied that he had been promised anything other than the express terms of the negotiated plea agreement in exchange for entering the plea. Therefore, the Court finds Applicant has not met his burden of proving either deficiency or prejudice as to this allegation.

**Allegation 3 and Amended Allegations 5 and 6: Failure to
interview or investigate Laura Lawrence and Amber Stewart**

Applicant alleges Counsel was ineffective for failing to interview Laura Lawrence and Amber Stewart while preparing for his trial. The Court finds these allegations without merit.

Laura Lawrence was a witness on the armed robbery charges and the possession of crack cocaine charge, and she was also the victim of the domestic violence charge. According to the solicitor’s summation of the facts during the guilty plea proceeding, Lawrence identified Applicant as the culprit of the armed robberies based on the stance and attire of the suspect in the Crimestopper photos and Applicant’s own statements to her. She also connected Applicant to Amber Stewart, who drove a car similar to the car shown on the surveillance video; police later spoke to Amber Stewart and confirmed that she had driven Applicant to and from the location of

the robberies on the night in question. Lawrence also told police that, on the night Rebecca Sakach was robbed near Lawrence's residence, Applicant had come to the residence with a woman's change purse and acted like he had something to hide. Lawrence told police she threw the purse into the brush across her fence; officers were able to recover it from that location, and Sakach identified it as her stolen purse. On another occasion, Lawrence was staying with Applicant at a hotel when Applicant was arrested on other charges; officers found a crack pipe and crack cocaine residue in the pocket of a jacket at the scene, and Lawrence identified the jacket as belonging to Applicant. On another occasion, Lawrence reported that Applicant had assaulted her, and although she recanted that story a short time later, officers observed wounds on her face consistent with being assaulted.

Laura Lawrence testified at the PCR hearing. She claimed that she lied about the domestic assault, and she said she tried unsuccessfully to contact Counsel multiple times to tell him that her police report concerning that incident was not true. Applicant alleges Counsel was ineffective for failing to interview Lawrence in order to develop a defense to the domestic violence charge.

Counsel, however, testified that Lawrence was a co-defendant on a number of the charges Applicant was facing. Lawrence was represented by Melissa Inzerillo on those charges, and Counsel testified that Inzerillo did not want him talking to her client directly. However, he knew Lawrence had recanted her report of domestic violence, and he recalled informing the solicitor of that fact. Counsel testified he knew Lawrence might have decided to recant her story if they went to trial on the domestic violence charge, but he explained that there was other evidence against Applicant and that the jury might have gone either way. Counsel also explained that he was far more worried about the possibility of Applicant receiving an LWOP sentence on the armed robbery charges, and Counsel did not want to jeopardize the entire plea deal over the relatively minor

domestic violence charge.

The Court finds Counsel's testimony credible on this issue. Although Counsel was unable to interview Lawrence because she was represented by counsel at the time, he was aware of her attempt to recant her story, and he took that fact into consideration in evaluating the possibility of an acquittal on the domestic violence charge. Counsel decided that it would not be in Applicant's best interest to jeopardize the entire plea deal merely based on the uncertain possibility of beating the domestic violence charge at trial. The Court finds Counsel's performance was well within the range of professionally reasonable assistance. Moreover, Applicant clearly indicated during the PCR hearing that he knew about Lawrence's recanting statement *prior* to entering his plea. Therefore, the Court finds Applicant has failed to establish that, but for Counsel's failure to interview Lawrence, Applicant would have rejected the plea deal and insisted on going to trial.

Applicant also alleges in his amended PCR application that Counsel was ineffective for failing to interview Amber Stewart. However, Applicant admitted at the PCR hearing that Counsel *had* interviewed Stewart. Counsel confirmed that his investigator spoke to Stewart in advance of the plea, and Stewart indicated she would testify consistent with the State's theory of case if called as a witness at trial. Stewart had admitted that she dropped Applicant off near the robbery location and picked him up afterwards, and Counsel noted that her distinctive car could be seen on the surveillance video leaving and coming back. Counsel thought Stewart would make a good witness for the State.

The Court finds Counsel did not perform deficiently in investigating Stewart. He credibly testified that his investigator reached out to her and interviewed her, and Counsel determined based on her response that her testimony would likely be harmful to the defense and favorable to the State. Moreover, Applicant admits that Counsel investigated Stewart. Accordingly, the Court

finds Applicant has failed to prove Counsel provided ineffective assistance on this issue.

Allegations 6 and 8, and Amended Allegation 12: Coercing

Applicant into entering a plea that was not in his best interest¹

Applicant further alleges that Counsel coerced him into accepting the plea deal by arranging for Applicant's brother and sister to meet with him and emotionally pressure him into taking the plea, even though it was not in his best interest. The Court finds this allegation is without merit.

At the evidentiary hearing, Applicant testified he did not want Counsel to discuss the case with his family. However, he testified that two people from the solicitor's office, Willy Thompson and Jenny Desch, arranged to meet with his brother and sister, where they convinced Applicant's family members that the plea deal would be in Applicant's best interest. Later, on the day before trial, Counsel brought Applicant to his office where Applicant's brother and sister were present. Applicant testified his brother and sister tearfully pleaded with him for over an hour to take the plea until Applicant reluctantly acquiesced.

Applicant's brother and sister testified at the evidentiary hearing. Both claimed that the solicitor arranged to meet them at the Starbucks in Rock Hill to discuss the case. They testified that, during that meeting, Thompson and Desch explained that Applicant was facing a life sentence if he was convicted of armed robbery. Applicant's brother and sister then met with Applicant and begged him to take the plea deal. However, after Applicant entered the plea, they both became convinced that Counsel and the solicitors had conspired to victimize Applicant and had played on

¹ Allegation 4, in Applicant's initial PCR application, merely states "Counsel [was] ineffective for failing to prepare for petitioner's case by not investigating the evidence, facts, and the circumstances of the case," without providing any further details. The Court interprets Allegation 4 as redundant to Allegation 3 and Amended Allegations 5, 6, and 11; therefore, that allegation is not addressed in its own section.

their emotions so that they would pressure Applicant to accept the plea offer.

Jenny Desch testified that, at the time of Applicant's guilty plea, she was employed with the 16th circuit solicitor's office. She recalled that Applicant's brother and sister were asking to be involved in Applicant's case and wanted Deputy Solicitor Thompson to consider a lower plea offer. She testified that she was present at the meeting at Starbucks where Thompson explained the charges against Applicant. She recounted her perception that Thompson was just candidly answering the questions Applicant's brother and sister were asking; she did not perceive Thompson's manner as being threatening. She also denied that she ever approached Applicant's sister about discussing Applicant's case; rather, she testified that Applicant's sister approached her. Desch denied that either she or Thompson ever said or did anything coercive or improper.

Counsel testified that Applicant's family members came to talk to Applicant on the eve of trial and emotionally implored Applicant to accept the plea offer. He testified that Applicant's sister called Counsel frequently to talk about the case. Counsel did not remember Applicant ever telling him not to discuss the case with his family. He testified that he would not have discussed the case with Applicant's family members against Applicant's wishes. Counsel did not specifically remember being told about Applicant's family meeting with the solicitors at Starbucks, but he testified that he did not think there was anything improper about it.

The Court finds Counsel's and Desch's testimony credible on this point, and the contrary testimony of Applicant and his family members not credible. Although, in hindsight, Applicant and his family may believe the plea deal was not in his best interest, no credible evidence supports their suggestion that it was the product of a conspiracy between Counsel and the solicitor's office. Moreover, the mere fact that Applicant's brother and sister emotionally pleaded with Applicant to accept the offer does not amount to improper coercion. The testimony reflects that Applicant's

brother and sister earnestly believed that the plea deal was Applicant's best option, and they strove to impress upon him the gravity of his situation and the necessity of taking the deal to avoid a life sentence. This was persuasion, not coercion. Applicant has not shown any "valid reason" to depart from his repeated affirmations to the plea court that he was entering the plea freely and voluntarily.

Applicant also complains that Counsel was ineffective for advising him that the plea deal was in his best interest. The Court finds this allegation manifestly without merit. Applicant's voluntary and knowing plea has not retroactively become invalid merely because, years later, Applicant is now subjectively dissatisfied with the outcome. Furthermore, the record amply supports Counsel's conclusion that the plea deal was in Applicant's best interest.

Counsel explained that, based on Applicant's prior convictions, Applicant was facing LWOP on each of his several armed robbery charges under the "three strikes" law. He testified that the evidence, although circumstantial, was strong enough that he thought Applicant would probably be convicted on at least one of the armed robberies. Counsel explained that, even if Applicant was acquitted of one of the armed robberies, the State would just "tee up" another; Applicant was facing enough serious charges that the State would have had several opportunities to obtain a conviction with a mandatory sentence of LWOP. Counsel testified that he advised Applicant there was a good likelihood of being convicted if he went to trial, and he agreed with Applicant's ultimate decision to plead. However, he testified that Applicant was unwilling to plead guilty until the eve of trial, so Counsel had been preparing for trial from the beginning and was even getting ready to begin jury selection at the time Applicant accepted the plea offer.

This evidence shows that Counsel obtained a very favorable plea deal for Applicant, in the face of a formidable number of very serious criminal charges; however, Counsel respected Applicant's decision to go to trial, and was preparing to do so until Applicant changed his mind.

The Court finds Counsel's performance was clearly not deficient on this point.

**Allegation 7 and Amended Allegation 3: Failure to explain the
appeal process or to file an appeal**

Applicant further alleges Counsel failed to discuss the appeal process or to file an appeal. Applicant claims he asked Counsel to file an appeal, but Counsel failed to do so. Counsel, however, testified that he was sure he advised Applicant of his right to appeal and that Applicant never asked him to file an appeal. Counsel testified that he would have filed an appeal if Applicant had asked him to do so.

The Court finds Counsel's testimony credible, and Applicant's contrary testimony not credible, as to this issue. Therefore, the Court finds Counsel did inform Applicant of his right to appeal, and Applicant did not request an appeal. Accordingly, the Court finds Applicant has failed to prove this allegation.

Allegation 10: Failure to move for a bond hearing

Next, Applicant alleges Counsel was ineffective for failing to move for a bond hearing, despite Applicant's repeated requests. Counsel could not recall whether Applicant asked him for a bond or whether he ended up filing for a bond hearing. Regardless of whether Applicant or Counsel actually requested a bond, the Court finds Applicant has not met his burden of proving prejudice. Applicant has totally failed to explain how having a bond hearing would have caused him to reject the plea deal and insist on going to trial. Accordingly, the Court finds Applicant has failed to prove Counsel was ineffective as to this allegation.

**Amended Allegation 4: Failure to provide a copy of the State's
evidence to Applicant**

Applicant also alleges Counsel was ineffective for failing to provide him with a copy of

the State's evidence prior to his guilty plea. Counsel, however, credibly testified that he provided Applicant with all the paper discovery he had—over 650 pages—and visited him in jail to go over any digital evidence that could not be given to Applicant. The Court finds Applicant has failed to prove Counsel was deficient as to this allegation. Furthermore, Applicant has not explained what additional evidence or defenses he might have discovered had Counsel more thoroughly gone over the discovery with him. Therefore, the Court finds Applicant has also failed to prove any prejudice. Accordingly, the Court finds this allegation of ineffective assistance meritless.

**Amended Allegation 11: Failure to obtain an independent
analysis of the drug evidence**

Applicant further alleges Counsel failed to adequately prepare by not requesting an independent analysis of the drug evidence. The Court finds this allegation meritless. Applicant failed to produce any independent analysis of the drug evidence; therefore, he has failed to prove that the result of the proceeding would have been different. Furthermore, Counsel credibly testified that he was not overly concerned about the drug charge for the same reason he was not concerned about the domestic violence charge: it was a relatively minor charge compared to Applicant's multiple armed robbery charges, and Counsel did not want to jeopardize the entire plea deal in order to challenge a single charge. The Court finds Applicant has failed to prove either deficiency or prejudice as to this allegation.

**Amended Allegation 13: Failure to move for reconsideration of
the sentence**

Finally, Applicant alleges Counsel was ineffective for failing to move for reconsideration of the sentence. The Court finds this allegation meritless. Applicant received a negotiated sentence in accordance with his plea agreement. This sentence was explained to Applicant, prior

to the entry of his guilty plea, on the record by Judge Hayes. Applicant knew exactly what sentence he was going to receive at the time he entered the guilty plea. Applicant has not articulated any grounds for reconsideration of the sentence, nor has he explained why Counsel should have made a motion for reconsideration that, to all appearances, would have been totally futile. This Court finds Applicant has proved neither deficiency nor prejudice as to this allegation.

[conclusion and signature on following page]

V. Conclusion

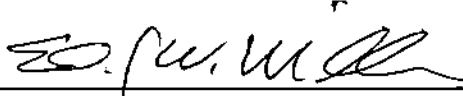
Based on all the foregoing, this Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

This Court notifies the Applicant that he must file and serve a notice of appeal within thirty (30) days from the receipt by counsel of written notice of entry of judgment to secure the appropriate appellate review. See Rule 203, SCACR. Pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991), Applicant has a right to an appellate counsel's assistance in seeking review of the denial of PCR. Rule 71.1(g), SCRCP, provides that if Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Applicant's attention is directed to Rule 243, SCACR, for appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

1. That the Application for Post-Conviction Relief be denied and dismissed with prejudice; and
2. That Applicant be remanded to the custody of the South Carolina Department of Corrections.

AND IT IS SO ORDERED this 14 day of November, 2025.


EDWARD W. MILLER
Presiding Judge
Sixteenth Judicial Circuit

Greenwell, South Carolina



ALAN WILSON
ATTORNEY GENERAL

December 5, 2025

The Honorable Angie Bryant
York County Clerk of Court
Post Office Box 649
York, SC 29745-0649

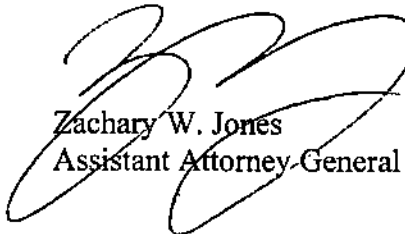
Re: Eric Neal Patton #313922 v. State of South Carolina
Case No.: 2018-CP-46-00261

FILED-RECEIVED
2025 DEC 12 AM 10:14
ANGIE M. BRYANT
C.C.C.P. & GS
YORK COUNTY, SC

Dear Ms. Bryant:

Enclosed for filing please find the original Order of Dismissal signed by the Honorable Edward W. Miller, in the above-captioned cases. Please forward a time-stamped copy to our office.

Sincerely,



Zachary W. Jones
Assistant Attorney General

ZWJ/bw
Enclosures