

State of South Carolina  
In the Supreme Court  
Certiorari to Clarendon County

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JUN 05 2026

S.C. SUPREME COURT

Michael Daugherty  
Petitioner

v.

Pro Se  
Memorandum  
2025-002435

State of South Carolina

Petitioner argues that the PCR Court relied upon Applicant's statements at the guilty plea colloquy. Petitioner argues due to the erroneous advice this caused petitioner to answer in the affirmative to the guilty plea colloquy because petitioner was under the impression that I was facing only 10-12 years and I was in agreement to 10-12 year sentence so naturally I answered the plea colloquy. It wasn't until afterwards that I realize that Counsel's advice was erroneous. At plea PCR hearing petitioner testified that if counsel had told me I was getting 25 with 5 consecutive I would had never pled. Petitioner asserts my case was self-defense whereas I sold property to the victim and upon realizing he was paying me counterfeit money I wanted my property back and that's when the victim pulled the gun on me.

Also petitioner argues that trial Counsel misrepresented the facts by stating the following: "I said, but a lot of times you may or may not get that, I've seen people get 10 or 12 years, 15 years but it's always up to the judge..."

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Petitioner argues that plea counsel did not state it to me like this, he specifically told me I would get 10-12 years because it was a self defense case. But petitioner argues that even this is erroneous because "a lot of times people get 10-12 years for vol. Manslaughter" is not accurate and he used this to make me believe I would get 10-12 years so I would plea instead of go to trial.

At PCR petitioner stated had I known I was going to get 25 or 30 years I would not have taken the plea and Counsel knew this before the plea hearing because I told him I wanted to go to trial because it was self defense that I sold my property to the victim and he gave me counterfeit money and when I requested my property back he pulled the gun on me.

### Conclusion

That petitioner be granted Relief

DATE

X Michael Daugherty  
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Michael Daugherty 386928 A-B-44  
Lieber Correctional Institution  
P.O. box 205  
Ridgeville, SC 29472



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Patricia A. Howard  
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