

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Jun 05 2026

S.C. SUPREME COURT

Certiorari to Greenville County

Honorable B. Alex Hyman, Circuit Court Judge

CHRISTIAN SCOWCROFT,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-002035

APPENDIX

WANDA H. CARTER
Chief Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
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ATTORNEY FOR PETITIONER

ATTORNEYS FOR RESPONDENT

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4/12/17
Please contact me as soon as possible with your client's response as plea negotiations must be concluded and the guilty plea entered before ~~4/28/17~~ or this and any other offers are automatically withdrawn. If your client does not plead guilty by this date, the case(s) will be placed on the trial calendar for disposition without further negotiation.

Yours very truly,



Allen Fretwell
Assistant Solicitor

GUILTY PLEA SUMMARY SHEET

DEFENDANT: Christian Arenson Scowcroft

LEC:

SCDC:

BOND: XX

JAIL TIME: 50 Days

CO-DEFENDANT:

DISPOSITION:

DEF. ATTY: Teal Johnson

PH#

INVESTIGATOR:

PH #

SUMMARY: On/about 8/16/16, Δ unlawfully and without permission entered the victim's residence at Alex Court in Greenville County by breaking the rear kitchen door-frame and removing it. Δ stole the victim's 12-gauge shotgun, Remington rifle, gaming system(s) and other electronic devices. A neighbor told police a suspicious red vehicle was parked near victim's home during the time of the burglary and described the occupant. The victim informed police he recently fired an individual matching the witness' description, who owned a red vehicle and who had recently been to the victim's house to assist in moving furniture. The victim identified this Δ as that individual. Police learned Δ had pawned some of the stolen items, and Δ's phone records placed him in the area of the incident location at the time of the burglary.

IMPORTANT RECORD: No adult record (per NCIC)

PLEA AGREEMENT: Y N Rec Probation and Restitution

PER INDICTMENT

CHARGE	CODE	INDICTMENT	SENTENCE
Burglary (Building) 2 nd Degree	16-11-312	16-____ (w)	<=15 Yrs
Grand Larceny	16-13-30	16-____ (w)	<=5 Yrs or fine

OFFICER	DATE NOTIFIED	INPUT	PRESENT
Inv. Robert Grubbs	10/4/16		N

VICTIM	DATE NOTIFIED	PRESENT	INPUT	REST	CWVRA
HARRISON GOLSON	9/27/16	Y N	Notify for Court	\$1,000.00	Y
GCSO EVID PROCURE				\$354.20	Y

VICTIM ADVOCATE: _____ PH# _____

DISPOSITION

JUDGE: _____ DATE: _____ CT. REPORTER: _____

SENTENCE: _____

RESTITUTION: _____

SUBMITTED BY: Allen Fretwell



SOLICITOR PRESENTING PLEA: _____

(INITIALS)

STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS 503 Y.21

COUNTY OF Greenville)

STATE VS.)

Christian Arenson Scowcroft)

AKA:)

Race: WHITE Sex: M Age: 25)

DOB: [REDACTED]-1991 SS#: [REDACTED])

Address: [REDACTED] Cunningham Rd)

City, State, Zip: Taylors, SC 29687)

DL#: [REDACTED] SID#:)

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Burglary of a Building in the Second Degree

INDICTMENT/CASE#: 2016 GS-23-

A/W#: 2016A2330208100

Date of Offense: 8/16/2016

S.C. Code § : 16-11-0311

CDR Code #: 0079

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-11-0312(B) of the S.C. Code of Laws, bearing CDR Code # 0086

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ALL TEST: [Signature] 17016 Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of _____ days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

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

CONCURRENT or CONSECUTIVE to sentence on:

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

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

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment

Payment Terms: _____ Obtain GED

Set by SCDPPPS _____ Attend Voc. Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____

*Fine: \$ _____ Substance Abuse Counseling

§ 14-1-206 (Assessments 107.5 %) \$ _____ Random Drug/Alcohol testing

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ _____ Fine may be pd. in equal, consecutive weekly/monthly

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____ pmts. of \$ _____ beginning _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____ \$ _____ paid to Public Defender Fund

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

Proviso 61.6 (Public Def/Probation) \$500 \$ _____

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

§ 14-1-213 (Drug Court Surcharge) \$150 \$ _____

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

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

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

TOTAL \$ _____

Clerk of Court/ Deputy Clerk _____ Presiding Judge _____

Court Reporter: _____ Judge Code: _____

Sentence Date: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
THE STATE)
)
-VS-)
)
CHRISTIAN ARENSON SCOWCROFT,)
)
DEFENDANT.)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

INDICTMENT # 2016 GS-23-

ORDER OF RESTITUTION
() JOINTLY AND SEVERALLY

Upon Motion of the Solicitor of the Thirteenth Judicial Circuit, it appears South Carolina Code of Laws Section 17-25-322 requires the Court to hold a hearing to determine the amount of restitution due the victim(s) of the defendant's criminal acts which have resulted in pecuniary damage or loss. Further, South Carolina Code of Laws Section 16-3-1530(D)(3) provides that the Court "shall order restitution at every sentencing for a crime against person or property" unless the Court finds a substantial and compelling reason not to order restitution.

The Court upon conducting a Restitution Hearing, or upon waiver and consent of the defendant, hereby finds:

() Restitution should not be ordered for the following substantial and compelling reasons:

() This restitution is ordered jointly and severally with any co-defendants.

(X) Restitution should be paid by the defendant as a condition of his/her sentence to the designated victims in the following Court-ordered amounts:

1. Victim HARRISON GOLSON

ALEX CT

GREENVILLE, SC 29609
Phone: [REDACTED] Restitution: \$ 1,000.00

3. Victim

Phone: - Restitution: \$ 0.00

2. Victim GCSO EVIDENCE PROCUREMENT

MCGEE ST

GREENVILLE, SC 29601
Phone: [REDACTED] Restitution: \$ 354.20

4. Victim

Phone: - Restitution: \$ 0.00

AND IT IS SO ORDERED THIS _____ DAY OF _____ Greenville, South Carolina

SO MOVE:

BY: [Signature] 17016
Assistant Solicitor, Thirteenth Judicial Circuit

PRESIDING JUDGE
THIRTEENTH JUDICIAL CIRCUIT

I WAIVE MY RIGHT TO A RESTITUTION
HEARING AND CONSENT TO THE ABOVE:

DEFENDANT

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

505 ^{4,2,2}

COUNTY OF Greenville
STATE VS.

Christian Arenson Scowcroft

AKA:

Race: WHITE Sex: M Age: 25

DOB: -1991 SS#:

Address: Cunningham Rd

City, State, Zip: Taylors, SC 29687

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Grand Larceny

INDICTMENT/CASE#: 2016 GS-23-

A/W#: 2016A2330208101

Date of Offense: 8/16/2016

S.C. Code § : 16-13-0030(B)

CDR Code #: 3420

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-13-0030(B) of the S.C. Code of Laws, bearing CDR Code # 3420

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Fretwell, Allen 17016 SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

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

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

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

*Fine: \$

§ 14-1-206 (Assessments 107.5 %) \$

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

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

§ 56-5-2995 (DUI Assessment) \$12 \$

§ 56-1-286 (DUI Breath Test) \$25 \$

Proviso 61.6 (Public Def/Probation) \$500 \$

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

§ 14-1-213 (Drug Court Surcharge) \$150 \$

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

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

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

TOTAL \$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (07/2016)

PTUP

days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly

pmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge

Judge Code:

Sentence Date:

506

Allen Fretwell

From: Johnson, Teal
Sent: Wednesday, October 12, 2016 5:44 PM
To: Fretwell, Allen
Subject: RE: Christian Scowcroft

I know it's a LOT to ask, but it may be a weak case except guns were allegedly taken.

From: Fretwell, Allen
Sent: Wednesday, October 12, 2016 5:43 PM
To: Johnson, Teal
Subject: Re: Christian Scowcroft

Ah. You threw me with the stolen goods charge. I don't typically reduce a burg 1st charge AND offer PTI, unless the burg 1st was charged in error. I'll take a look at the file, but I wouldn't get your client's hopes up that I'd do that.

Sent from my iPhone

On Oct 12, 2016, at 5:40 PM, Johnson, Teal <[REDACTED]@greenvillecounty.org> wrote:

Not yet ☺

You haven't offered him anything. I'm asking for PTI

From: Fretwell, Allen
Sent: Wednesday, October 12, 2016 5:40 PM
To: Johnson, Teal
Subject: Re: Christian Scowcroft

And I offered him PTI?

Sent from my iPhone

On Oct 12, 2016, at 5:38 PM, Johnson, Teal <[REDACTED]@greenvillecounty.org> wrote:

Burg 1st and GL.

From: Fretwell, Allen
Sent: Wednesday, October 12, 2016 5:38 PM
To: Johnson, Teal
Subject: Re: Christian Scowcroft

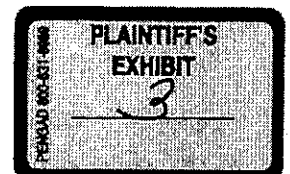
What's he charged with?

Sent from my iPhone

On Oct 12, 2016, at 5:03 PM, Johnson, Teal <[REDACTED]@greenvillecounty.org> wrote:

Allen,

How about a reduction to Poss. of stolen goods for PTI purposes only. Client tells me he is a 2013 Citadel grad; US Army from 2009 to



Johnson, Teal

From: Christian Scowcroft [REDACTED]@gmail.com>
Sent: Friday, November 18, 2016 3:38 PM
To: Johnson, Teal
Subject: Re:

CAUTION: This email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Mrs. Johnson,

I cannot plead guilty to a crime I did not commit. Especially a felony. That would be condemning me to a life deminished to constantly answering for the actions of another man and I will not lie and take responsibility for it. I would lose my engineering license and any chance of ever bettering myself as a person and a member of the community.

I tried to speak with you today on multiple occasions. As it stands I am unsure how to proceed. You **MUST** keep fighting for me. I have gotten employment as a server at Outback steakhouse while I continue to seek engineering work. I am doing everything I can to struggle through this, but I must say that this is discouraging news. I dont know if veterans court is an option. I dont know what I can do to convince the solicitor that I am a beneficial part of society and that there has to be a better solution than the life of a convicted felon. If I must go to court. I will. If I have to bring forth a team of lawyers to extend, suppress, and dismiss this case piece by piece. I will.

I can only stand by the reason I went in to speak with the investigator, the reason I have been so open with you, and the reason that I have faith in the resolution of this case. I am innocent of these crimes and my heart has told me to cooperate every step of the way. I am rejecting his plea bargain. I really need your guidance here. He must either make a better offer and allow me to undertake PTI for recieving stolen property, or we will escalate this to a trial by jury, and drag the case through veterans affairs. I must also reiterate the fact that they have no forensics, no witnesses, and only irrelevant circumstantial evidence to stand on. The time window of events is the only implication of guilt, but that is only an unfortunate implication, not a conclusive fact.

Please contact me as soon as possible with your thoughts.

Best regards,

On Nov 17, 2016 5:50 PM, "Johnson, Teal" <[REDACTED]@greenvillecounty.org> wrote:
 Mr. Scowcroft,

I have not made any progress with the Solicitor. He advised me that his offer is a plea to grand larceny and a reduction to Burglary 2nd (from Burglary 1st) for probation and restitution. I'm attaching his formal offer. You have a tough decision to make -- do you want to go to trial and risk a minimum of 15 years in prison if convicted or do you take a plea, which is also a felony conviction and certainly has lifelong implications.

Do not contact the Solicitor. I should be in the office tomorrow afternoon if you want to discuss.



received
9/7/17 *fm*

Hello, my name is Clarence Jensen. I'm
 writing to you in hopes that the court is finding you in
 generous spirits, for I have found myself in dire circumstances
 and need all the assistance I can get. First of all please
 thank Mrs Teal Tolson for me, for all her guidance and
 advice and tell her that I am not interested. Secondly
 I would like you to make sure my appeal to vacate my
 sentence has actually been admitted, as I have lost all
 faith in Hardy Chambers he caused the global war to start
 like the appeal but also that he will redirect my career
 back to your office. Sorry to have let a trial happen
 and to let my trial, I'm not surprised. I would
 like to see finally some effective measures if used
 against me to part of my appeal. He acknowledged my
 ignored, my request to begin for a plea, he gave me
 3 appointments leading to a trial so we were un-
 der duress completely surprised, he also ignored the judge's
 request to consider that the charges carried a mandatory
 minimum of 10 years, citing in as a defense using tactics
 as if he became obsessed with looking the prosecutor like
 went to court with only my writing + unprepared testimony,
 up against 21 pieces of evidence, 14 witnesses and an expert.
 I am asking that you please return me to court.



doing potentially the strongest, corrective action for my appeal. I should & would have taken Mrs. Johnson's advice on the plea bargain, but unfortunately, Mr. Chambers had only trial on the mind. I am a Stanford Graduate with a Bachelor's in Science in Electrical Engineering, former Methodist Guard Officer, and have maintained (with now) a spotless criminal record. Randy led me on having wrong by using the hope of negotiating that I am a good when the reality was that I need some help & support for that. Please Guide and assist me in doing so, I would like a copy of my sentencing sheet & discovery packet sent to me here.

Full name: Christian Scowcroft, 373633

Trial date: August 2nd & 3rd, 2017

Arrest date: August 26th, 2016

Date of Warrants: August 23rd - Burglary 1st, Grand Larceny

SCDC entry date: August 28th, 2017

Inmate ID: 373633

Home address: Christian Scowcroft, 373633
 4344 Broad River Road
 Columbia, SC 29210

Thank you for your efforts & attention to this and please redirect this as necessary, as my resources here are extremely limited. You may contact my step-mom, Brenda Scowcroft; (803) 925-1111 with cell 212-1111. God Bless
 Christian

25 SEP 16 PM 12:54
JUN GREENSBORO GVL SC

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE THIRTEENTH JUDICIAL CIRCUIT
COUNTY OF GREENVILLE)	
Christian Scowcroft,)	Case No.: 2020-CP-23-04164
S.C.D.C. No. 373633,)	
)	
Applicant,)	
)	ORDER OF DISMISSAL
v.)	
)	
State of South Carolina,)	
)	ENTERED COMPUTER
Respondent.)	
)	

This matter comes before the Court by way of an application for post-conviction relief filed by the applicant, Christian Scowcroft, on August 31, 2020. Respondent made its return on December 17, 2020. Scowcroft filed an amended application on May 8, 2024, through counsel Sarah M. Henry, Esq. The Court convened an evidentiary hearing into the matter on May 13, 2024, at the Greenville County Courthouse in Greenville, South Carolina. Scowcroft was present at the hearing and represented by Ms. Henry, and Joshua A. Edwards, Esq., of the South Carolina Attorney General's Office, represented Respondent.

Scowcroft testified on his own behalf at the evidentiary hearing. Scowcroft's trial counsel, Randy Chambers, Esq., and previous counsel Teal Johnson, Esq., also testified. The Court had before it Scowcroft's records from the South Carolina Department of Corrections, a copy of the trial transcript, the records of the Greenville County Clerk of Court regarding the subject convictions, exhibits offered by the parties, and the pleadings. The Court finds as follows:

I. PROCEDURAL HISTORY

Scowcroft is confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Greenville County Clerk of Court. Scowcroft was indicted at the February 2017 term of the Greenville County Grand Jury for first-degree burglary (2017-GS-23-001278) and grand larceny (2017-GS-23-001278). Teal Johnson of the Greenville County Public Defender's office was appointed to represent Scowcroft. Assistant Solicitor Brann W. Fowler, of the Thirteenth Circuit Solicitor's Office, prosecuted the case. The State offered Scowcroft a plea deal where Scowcroft would plead guilty to second-degree burglary (non-violent) and receive a probationary sentence. Rather than accept the offer, Scowcroft retained Randy Chambers to represent him and proceeded to jury trial before the Honorable Perry H. Gravely, Circuit Court Judge. The facts were summarized as follows in the State's brief in Scowcroft's direct appeal:

Consistent with his typical daily routine, Harrison Golson ("victim"), an engineering manager for AT&T, left his Greenville, South Carolina, home at approximately 6:45 a.m. on August 16, 2016, and headed to his office for work. Later that day, victim returned home around 11:15 a.m. to each lunch, which was also consistent with his typical daily routine. However, that day, victim encountered something highly out of the ordinary upon returning home. Specifically, when he entered his home, victim noticed the back door was ajar and its lock was on the floor. In response, victim quickly went to his closet to retrieve one of his guns, but the guns—a Remington Model 700 .270 caliber rifle and a camouflage-colored Browning .12 gauge shotgun—were missing along with their accompanying accessories. At that point, victim released his dog, checked to see if anyone was in his home, and reported the burglary and theft to law enforcement. He then checked through the rest of his home and discovered a PlayStation 3 system was also missing along with a controller and some games.

Shortly after that, deputies from the Greenville County Sherriff's Office responded to the scene and met with victim, and he alerted them of the various items that had been stolen from his home that morning. However, victim had no idea who had committed the break-in at that time, so he was unable to identify a suspect for the deputies. The deputies then spoke with Michael Nascarello, who was one of victim's neighbors and had been working from home that morning. In speaking with the deputies, Nascarello revealed he saw a red sedan he did not recognize that morning parked outside his residence, which was located only two houses away from victim's home. Furthermore, Nascarello reported he briefly caught a glimpse of a lanky white man of average height getting into the driver's seat of that red sedan.

A few hours later, Applicant, who had recently worked at AT&T with victim up until Applicant was terminated near the end of the preceding month, went to a GameStop store that was located near victim's home and sold a PlayStation 3 system along with a game. After that, Applicant went to Traders Gun Shop, which was also nearby, and sold victim's rifle at around 1:48 p.m. Following those transactions, Applicant left with his newly acquired money, and the information related to the items he sold was submitted to a database that could be accessed and reviewed by law enforcement officers.

Thereafter, as the investigation continued, Investigator Robert Grubbs of the Greenville County Sheriff's Office searched the database for victim's rifle and learned it was sold at Traders Gun Shop by Applicant just a few hours after the rifle had been stolen. Investigator Grubbs then searched the database using Applicant's name and also discovered Applicant had sold a PlayStation 3 system around the same time. At that point, Investigator Grubbs believed Applicant committed the crimes, so he attempted to make contact with Applicant to discuss the matter while also obtaining a warrant for Applicant's arrest.

On August 26, 2016, Applicant voluntarily met with Investigator Grubbs and agreed to speak with him. During that interview, Applicant repeatedly denied committing the break-in. Applicant asserted he had been at his family's lake house for weeks before the break-in occurred, returned home at some point around 11:00 a.m. or 12:00 p.m. one day, and subsequently sold a rifle and shotgun he found in his home that purportedly belonged to Applicant's former roommate, Britain Donahue. Applicant—at multiple points in the interview—denied selling any other items he found in his apartment, but he eventually admitted he also sold a PlayStation 3 system when confronted about that fact. Nonetheless, Applicant continued to insist he did not commit the break-in while identifying Donahue as the person he believed was the actual perpetrator of the crimes. However, Applicant conceded he had no idea how Donahue possibly would have known where victim lived because Applicant had not revealed that information to Donahue and had never taken him to victim's home at any time.

At the end of the interview, Applicant was arrested, and officers seized his computer and cell phone for forensic analysis. The following information was uncovered in the computer: (1) Applicant's password-protected computer was used to access victim's Facebook profile at approximately 1:13 a.m. on the date of the break-in; (2) Applicant's computer was used at 9:23 a.m. later that same day to access Applicant's password-protected email account and read a message to him from his bank indicating that his attempted bank transfer had failed because his account had insufficient funds; and (3) Applicant's computer was used to search for information related to stores where a gun could be sold and for information related to Remington Model 700 .270 caliber rifles on the afternoon of the break-in. Applicant's cell phone had not connected with any cell phone towers located near any of the lakes in the area at any point between August 11, 2016, and the date of the break-in.

Scowcroft was convicted as charged and sentenced to fifteen years' incarceration for burglary and one year of incarceration for grand larceny, with the sentences to be served concurrently. Scowcroft appealed. Through appellate counsel Kathrine H. Huggins, Esq., Scowcroft raised two issues: the trial court's refusal to grant a directed verdict on both charges. His convictions were affirmed in an unpublished opinion. State v. Scowcroft, Op. No. 2020-UP-061 (S.C. Ct. App. filed March 11, 2020) (per curiam). The remittitur was issued on May 5, 2020.

Present Application

In his original post-conviction relief application, Applicant raised various claims of ineffective assistance of counsel against both Johnson and trial counsel Chambers. However, at the evidentiary hearing, Scowcroft pursued only the four claims of ineffective assistance identified in his amended application:

1. "Applicant alleges that trial counsel, Randy Chambers, failed to relay an offer of probation extended to client through counsel on March 29, 2017, and that had client been aware of this offer he would have pled guilty instead of trying the case."
2. "Counsel, Teal Johnson, received an offer of probation on behalf of applicant on November 10, 2016. Ms. Johnson related this offer to applicant, and applicant rejected the plea offer. However, applicant alleges that Ms. Johnson advised him that the case was weak and circumstantial, that she could get him a lower charge, that he should not accept the offer as extended, and that she had not reviewed the evidence against him when she gave this legal advice. Applicant alleges that had he been properly advised he would have accepted the plea offer, and not tried this case."
3. "Applicant alleges that trial counsel, Randy Chambers, advised client that he could receive less than the mandatory 15 years for Burglary 1st, and that Mr. Chambers would request less time for applicant should he lose at trial. Applicant relied on this advice when deciding to go to trial, and applicant alleges he would not have gone to trial had he been aware that he could not receive less than 15 years if convicted, as a matter of law."
4. Applicant alleges that trial counsel, Randy Chambers, failed to object to the court providing an incomplete Burglary 1st jury charge, and failed to put the substantive

contents of the jury charge conference on the record for appeal, prejudicing client at the trial and on appeal.”

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the testimony and exhibits presented at the evidentiary hearing, observed the witnesses and passed upon their credibility, and weighed the testimony accordingly. Further, this Court has reviewed the records submitted to it by the parties and the legal arguments made by the attorneys. Pursuant to S.C. Code Ann. §17-27-80, this Court makes the following findings based upon the evidence presented.

Applicable law: ineffective assistance of counsel.

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). 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). “When counsel focuses on some issues to the exclusion of others, there is a strong presumption that he [or she] did so for tactical reasons rather than through sheer neglect.” Yarborough v. Gentry, 540 U.S. 1, 5 (2003) (citing Strickland, 466 U.S. at 690). The Court, in determining deficiency, must affirmatively entertain the range of possible reasons counsel may have had for proceeding as they did. Cullen v. Pinholster, 563 U.S. 170, 196 (2011); Harrington v. Richter, 562 U.S. 86, 109-10 (2011). “[E]ven if an omission is inadvertent, relief is not automatic. The Sixth Amendment guarantees reasonable competence, not perfect advocacy judged with the benefit of hindsight.” Yarborough, 540 U.S. at 6; see also Murphy v. Davis, 901 F.3d 578, 592 (5th Cir. 2018) (“[C]ounsel’s performance need not be optimal to be reasonable.”). Applicant must overcome this presumption to receive relief. Cherry, 300 S.C. at 118, 386 S.E.2d at 625.

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. “This does not require a showing that counsel’s actions ‘more likely than not altered the outcome,’ but the difference between Strickland’s prejudice standard and a more-probable-than-not standard is slight and matters ‘only in the rarest case.’” Harrington, 562 U.S. at 111-12 (quoting Strickland, 466 U.S. at 697). “The likelihood of a different result must be substantial, not just conceivable.” Id. at 112. “The prejudice analysis requires the court deciding the ineffectiveness claim to consider the totality of the evidence before the judge or jury.” United States v. Basham, 789 F.3d 358, 371-72 (4th Cir. 2015) (quoting Elmore v. Ozmint, 661 F.3d 783, 858 (4th Cir. 2011)). In the context of a rejected plea offer, Applicant must show “a reasonable probability that but for counsel's errors he would have accepted the plea.” Lafler v. Cooper, 566 U.S. 156, 171 (2012).

The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. Strickland, 466 U.S. at 696. A court need not first determine whether counsel's performance was deficient before examining the prejudice suffered by the defendant as a result of the alleged deficiencies; if it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, that course should be followed. Id. at 696-97.

1. Failure to relay plea offer.

Scowcroft alleges trial counsel Randy Chambers failed to relay a plea offer of probation, and testified to this effect at the evidentiary hearing. Scowcroft testified he would have accepted the offer.

Counsel Chambers testified to the exact opposite. Chambers testified Scowcroft was adamant about going to trial. Scowcroft told Chambers his former attorney, Teal Johnson, had advised him to plead guilty. Scowcroft hired Chamber because he wanted a trial and believed the jury would not convict him because of his education and background. Scowcroft did not want a felony conviction on his record. Chambers "implored" Scowcroft to accept the offer of second-degree burglary and probation, but Scowcroft refused. Chambers testified he advised Scowcroft the case against him was strong, and understood why Johnson had advised him to plead guilty.

This allegation comes down to credibility. This court finds Chambers to be credible, and Scowcroft not to be credible. The court's decision is based in part on its observation of the witnesses, but also on Scowcroft's history and pattern of dishonesty. Scowcroft repeatedly lied throughout the investigation into the burglary, both to police and those to whom he sold the stolen goods. Scowcroft testified at trial and denied the charges, but the jury did not believe his

testimony. Neither does this court. Furthermore, Chambers's testimony is bolstered by Johnson's who, like Chambers, testified Scowcroft was adamant about going to trial and rejected an identical plea offer when she relayed it. For these reasons, this Court finds Applicant has failed to show deficiency or prejudice, and accordingly his request for relief on this allegation is **DENIED**.

2. Misadvice by Johnson whether to plead guilty.

Applicant alleges counsel Johnson was providing ineffective assistance by persuading him to reject the plea offer for probation and proceed to trial because the case against him was "weak and circumstantial." Scowcroft testified to this effect at the evidentiary hearing.

Johnson testified to the opposite. She explained Scowcroft insisted on going to trial. Respondent introduced an email (State's Exhibit #1) from Scowcroft to Johnson dated November 17, 2016, wherein Scowcroft states: "I cannot possibly plead guilty to a crime I did not commit. Especially a felony. That would be condemning me to a life diminished to constantly answering for the actions of another man and I will not lie and take responsibility for it. I would lose my engineering license and any chance of ever bettering myself as a person and a member of the community." Scowcroft asked Johnson to "keep fighting" for him and promised to "bring forth a team of lawyers to extend, suppress, and dismiss this case piece by piece." Respondent also introduced a letter (State's Exhibit #2) Scowcroft wrote to the circuit Public Defender after he was convicted wherein Scowcroft expressed that he "wish[ed he] had listened" to Johnson's advice.

Scowcroft introduced an email from Johnson to the then-solicitor, wherein Johnson requests PTI and states that "it may be a weak case except guns were allegedly involved." (Applicant's Exhibit #3). The court finds Johnson was merely doing her best to obtain a

favorable plea deal from the solicitor, and does not believe this indicates Johnson actually thought this was a weak case, or that she ever told Scowcroft that. Johnson testified she did not believe this was a weak case, and that she did everything she could to advise Scowcroft of the strong case against him, but that it was ultimately his decision to proceed to trial.

This court again finds counsel to be credible and Scowcroft not to be credible. In addition to Scowcroft's history of dishonesty and this court's observations at the evidentiary hearing, everything in the record supports Johnson's version of events. Accordingly, Applicant's request for relief on this allegation is **DENIED**.

3. Chambers's alleged advice that Scowcroft could receive less than the mandatory minimum of 15 years for first-degree burglary.

Applicant alleges Chambers advised him that he could receive less than the mandatory minimum of 15 years if convicted of first-degree burglary. Chambers denied this. He testified he gave Scowcroft no expectation that he could receive less than fifteen years if convicted. Chambers did ask Judge Gravely at sentencing to go beneath the mandatory minimum and stated he had seen this done early in his career. However, he admitted there was no precedent for it. Chambers testified that he requested the non-conforming sentence because, essentially, it never hurts to ask.

Again, this court finds Chambers to be credible and Scowcroft not to be credible, for the same reasons stated above. Applicant's request for relief on this allegation is **DENIED**.

4. Incomplete jury charge.

Finally, Scowcroft alleges Chambers provided ineffective assistance by failing to request a "complete" jury charge on first-degree burglary. He argues that if the jury had been aware of the other factual scenarios which would support a first-degree burglary charge—e.g. the burglary occurs at nighttime, is committed by a person with two prior burglary convictions, or the defendant

uses a weapon—the jury would have better understood the severity of the charge and the type of behavior it targets, and would have been less inclined to convict him of such a serious offense. See S.C. Code Ann. § 16-11-311. Chambers testified he was satisfied with the charge as given. The trial judge charged the jury on the only applicable theory of first-degree burglary and the facts did not support a charge on a lesser-included offense. See State v. McCaskill, 321 S.C. 283, 468 S.E.2d 81 (Ct. App. 1996).

As it must under Strickland, this court gives great deference to counsel's strategic decisions and finds counsel's decision regarding the requested jury charge was objectively reasonable. Scowcroft essentially alleges counsel should have requested a charge which would have given the jury more ways to convict him, albeit under theories which were not applicable to the facts of the case. The Sixth Amendment does not require this. Furthermore, Scowcroft has not shown prejudice. This court does not believe there is a reasonable probability the jury would have acquitted Scowcroft under the novel theory he advances. Rather, the evidence against Scowcroft was strong and his defense was based on complete denial. Accordingly, relief on this ground is **DENIED.**

[Conclusion and signature on following page]

III. CONCLUSION


Based on all the foregoing, this court finds and concludes 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 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), an 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 the Applicant wishes to seek appellate review, PCR counsel must serve and file a Notice of Appeal on the Applicant's behalf. Your attention is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

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 South Carolina Department of Corrections.

AND IT IS SO ORDERED this 15 day of ^{BHH}~~Sept~~ Sept, 2025.


 B. ALEX HYMAN
 Presiding Judge
 Thirteenth Judicial Circuit

Conway

, South Carolina

WITNESSES

R Grubbs

M. [Signature] #1146 16 SE

Greenville County Sheriffs Office

8/26/2016

ARREST WARRANT NUMBER

2016A2330208100, 2016A2330208101

ACTION OF GRAND JURY

TRUE BILL

[Signature]

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Burgary - Guilty

Grand Larceny - Guilty

[Signature]

Foreperson of Petit Jury

Date: *9-24-17*

DOCKET NO. 2017-GS-23-
AOF

001278

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

February

TERM 2017

THE STATE

vs.

CHRISTIAN ARENSON SCOWCROFT

Indictment for

0079/3420

BURGLARY FIRST DEGREE
AND GRAND LARCENY

VIOLATION § 16-11-0311 and §16-13-0030


 A Certified Copy
 Paul B. Wiseman
 Clerk of Court C.P. & G.S.
 Greenville County, SC
 Dated *8/31/17*

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
BURGLARY FIRST DEGREE AND GRAND LARCENY

At a Court of General Sessions, convened on **FEB 21 2017** the Grand Jurors of Greenville
County present upon their oath:

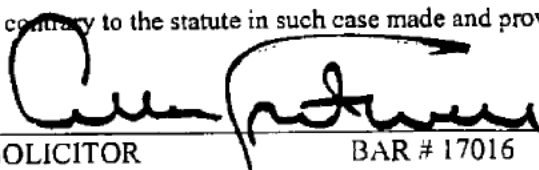
COUNT I – BURGLARY FIRST DEGREE

That CHRISTIAN ARENSON SCOWCROFT did in Greenville County, on or about the 16th day of August 2016, willfully and unlawfully enter the dwelling of HARRISON GOLSON located at █ Alex Court, Greenville, SC, without consent and with the intent to commit a crime therein, and the burglary was accompanied by circumstances of aggravation, to wit: defendant did become armed with a deadly weapon upon entering the dwelling. This is in violation of §16-11-0311 of the South Carolina Code of Laws (1976) as amended.

COUNT II – GRAND LARCENY

That CHRISTIAN ARENSON SCOWCROFT did in Greenville County, on or about the 16th day of August, 2016, feloniously take and carry away the personal property of HARRISON GOLSON to wit: a shotgun, rifle and scope, gaming system with games and controllers, with a total value of more than Two Thousand Dollars with the intent to deprive the owner permanently of such property. This is in violation of §16-13-0030 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR BAR # 17016

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.

Christian Arenson Scowcroft

AKA:

Race: WHITE Sex: M Age: 26

DOB: [redacted]-1991 SS#: [redacted]

Address: [redacted] Cunningham Rd

City, State, Zip: Taylors, SC 29687

DL#: [redacted] SID#: [redacted]

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Burglary, First Degree

INDICTMENT/CASE#: 2017GS2301278

A/W#: 2016A2330208100

Date of Offense: 8/16/2016

S.C. Code § : 16-11-0311

CDR Code #: 0079

SENTENCE SHEET

15 - The Randall

CONVICTED OF or PLEADS

in violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature]
Fowler, Brann

102029

SC Bar#

Defendant

CHAMBERS, RANDALL

65302

SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,

for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

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

CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. 60 days

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

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ 1354.20 plus 20% fee: 40.63 1394.83

Payment Terms: 390

Set by SCDPPPS Per Order

Recipient: _____

*Fine:		\$
§ 14-1-206 (Assessments 107.5%)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 61.6 (Public Def/Probation)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ <u>3.75</u>

TOTAL \$ 128.75

PTUP _____ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol testing

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

\$ _____ paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge [Signature]
Judge Code: 2755
Sentence Date: 3/24/17

Clerk of Court/ Deputy Clerk Paul B. Wickens

Court Reporter: Marian

STATE OF SOUTH CAROLINA)
 COUNTY OF Greenville)
 STATE VS.)
Christian Arenson Scowcroft)
 AKA: _____)
 Race: WHITE Sex: M Age: 26)
 DOB: -1991 SS#: _____)
 Address: Cunningham Rd)
 City, State, Zip: Taylors, SC 29687)
 DL#: _____ SID#: _____)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017GS2301278
 A/W#: 2016A2330208101
 Date of Offense: 8/16/2016
 S.C. Code § : 16-13-0030(B)
 CDR Code #: 3420

SENTENCE SHEET

Randy 0-51

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Larceny/Grand Larceny

CONVICTED OF or PLEADS

in violation of § 16-13-0030(B) of the S.C. Code of Laws, bearing CDR Code # 3420
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: _____ 102029 _____ 65302
Fowler, Brann SC Bar# _____ Defendant CHAMBERS, RANDALL SC Bar# _____

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 6 days/months/years or under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____

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

CONCURRENT or CONSECUTIVE to sentence on: 8/24/17
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. *100 days*

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
 Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
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§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ <u>3.75</u>
TOTAL		\$ <u>128.75</u>

_____ days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly
 prmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

(M)

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk Paul B. Waterman
 Court Reporter: _____
 SCCA/217 (07/2016)

Presiding Judge July 11 2017
 Judge Code: 2755
 Sentence Date: 8/24/17