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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
HONORABLE GRACE GILCHRIST KNIE
2025-CP-23-01625

Karemy Y. Mejia Bedolla, SCDC# 393922

APPELLANT,

vs.

STATE OF SOUTH CAROLINA,

RESPONDENT.

NOTICE OF APPEAL

Karemy Y. Mejia Bedolla appeals the denial of his Post Conviction Relief. The Post Conviction Relief Action was heard and denied by the Honorable Grace Gilchrist Knie, Circuit Judge on June 23, 2026 an Order issued on July 22, 2026 and filed on July 26, 2026. The Appellant received notice of the judgment on July 30, 2026.

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STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Karemy Y. Mejia Bedolla, #393922,

Applicant,

v.

State of South Carolina,

Respondent.

COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

CASE NO. ~~2024 CP 23 1058~~

2025-CP-23-01625

**ORDER OF DISMISSAL
WITH PREJUDICE**

Presiding Judge:	Honorable Grace Gilchrist Knie
Applicant's Attorney:	Rodney W. Richey, Esq.
Respondent's Attorney:	Sydney N. Willingham, Esq.
Plea Counsel:	Joseph Baldwin, Esq.
Date of Hearing:	June 23, 2026
Court Reporter:	Cheryl Smith

This matter comes before the Court pursuant to an application for post-conviction relief ("PCR") filed by Karemy Y. Mejia Bedolla ("Applicant") on March 13, 2025. Respondent filed its Return, requesting that an evidentiary hearing be held on the allegations. On June 23, 2026, an evidentiary hearing was held at the Greenville County Courthouse before the Honorable Grace Gilchrist Knie. Applicant was present and represented by Rodney W. Richey, Esquire. Assistant Attorney General Sydney N. Willingham represented Respondent. Applicant proceeded on the allegations in her application. This Court received testimony from Applicant and her plea counsel, Joseph Baldwin, Esquire.

Following a thorough review of the record, along with the testimony and evidence presented at the hearing, this Court finds Applicant has failed to establish any constitutional violations or deprivations entitling her to relief and, accordingly, **DENIES** and **DISMISSES** this action with prejudice.

PROCEDURAL HISTORY

Applicant is currently confined in the South Carolina Department of Corrections, Leath Correctional Institution, pursuant to orders of commitment from the Greenville County Clerk of Court. In 2024, the Greenville County Grand Jury indicted Applicant for trafficking methamphetamine, 10-28 grams, 1st offense (2024-GS-23-00531A) and trafficking methamphetamine, 28 g or more but less than 100 grams, 1st offense (2024-GS-23-0532).

On April 17, 2024, Applicant pled guilty to a deferred sentence before the Honorable Patrick C. Fant, III. The transcript of record from Applicant's guilty plea was sealed. A Consent Order (Unsealing of Plea Transcript) was filed on June 13, 2025, upon the consent of the parties, the Court granted the request to unseal the transcript of record in Case No: 2024-GS-23-0531A; - 0532. Applicant was represented by Joseph R. Baldwin, Esq. Assistant Solicitor W. Ryan Holloway prosecuted the case. The solicitor presented the following recitation of facts:

[O]n July the 12th, 2023, a -- sheriff's deputies executed a search warrant at the Defendant's house at 226 Clemson Avenue, Lot 20. And it was in our county. And the Defendant -- her vehicle, a black Camaro, had been pulled over several times resulting in cases involving the intent to traffic in narcotics. The vehicle had been sitting outside the residence. The Defendant was listed -- has listed this address on -- in previous cases as her address.

Upon arrival, deputies saw a male -- a gentleman standing outside working on a dirt bike. The male confirmed the Defendant was inside. After callouts were made, the Defendant came to the door and was taken out of the -- the residence.

She had on her person what was later -- that field-tested positive as meth -- methamphetamine on her -- on her person. In her -- her room, the deputies found hundreds of small colored baggies that matched the baggies in the traffic stops of other customers that had been conducted. The -- a small bag of marijuana was found on the kitchen counter.

Ultimately, several baggies that were found throughout the residence -- the total methamphetamine found in those baggies was 21.12 grams. She served 201 days in jail as of the date of her deferred sentence, which was January the 29th of this year.

(Plea Tr. pp. 18-19).

Judge Fant sentenced Applicant to 12 years and a mandatory fine of \$50,000 for trafficking methamphetamine, 28 g or more but less than 100 grams, 1st offense, and 10 years for trafficking methamphetamine, 10-28 grams, 1st offense, to run concurrently, with credit for time served. (Plea Tr. p. 34). Applicant did not appeal her convictions or sentences.

CURRENT ALLEGATIONS AND RELIEF SOUGHT

Applicant raises the following allegations in her application filed on March 13, 2025, interpreted by Respondent as follows:

- I. Prosecutorial Misconduct
 - a. “The solicitor talk to me before being sentenced and told me the weight had come back being a different amount.”

(PCR App. 3).

Applicant asks this Court for “my sentence to lower due to my daughter health condition.”

(PCR App. 6).

Applicant raised the following additional allegations at the evidentiary hearing:

1. Counsel told Applicant she wouldn’t get more than 7 years.
2. 28-100 grams charge should have been dropped.
3. Applicant did not see her discovery or the lab reports.
4. Failure to investigate.

STANDARD OF REVIEW

The Uniform Post-Conviction Procedure Act¹ (the Act) provides that any person who has been convicted of a crime may seek post-conviction relief based on the following types of allegations:

1. That the conviction or the sentence was in violation of the Constitution of the United States or the Constitution or laws of this State;

¹ S.C. Code Ann. §§ 17-27-10 to -160.

2. That the court was without jurisdiction to impose sentence;
3. That the sentence exceeds the maximum authorized by law;
4. That there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice;
5. That his sentence has expired, his probation, parole or conditional release unlawfully revoked, or he is otherwise unlawfully held in custody or other restraint; or
6. That the conviction or sentence is otherwise subject to collateral attack upon any ground of alleged error heretofore available under any common law, statutory or other writ, motion, petition, proceeding or remedy[.]

S.C. Code Ann. § 17-27-20(A).

Ordinarily, PCR allegations are centered upon an allegation that the applicant did not receive effective assistance of counsel guaranteed by the Sixth Amendment. See generally S.C. Code Ann. § 17-27-20(A) (enumerating allegations cognizable in PCR actions). The allegation of denial of such representation sets forth a *prima facie* violation of this constitutional right and raises a question of fact that can only be determined by an evidentiary hearing. Rogers v. State, 261 S.C. 288, 291, 199 S.E.2d 761, 762 (1973).

In a post-conviction relief action, the applicant bears the burden of proving the allegations by a preponderance of the evidence—a mere allegation of ineffective assistance is not sufficient to warrant granting relief. Rule 71.1(e), SCRCP; Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985). The reviewing court applies the two-part test outlined in Strickland to determine whether counsel's conduct "was so [ineffective] as to require reversal" of the applicant's conviction. Strickland v. Washington, 466 U.S. 668 at 687 (1984). To obtain relief, a PCR applicant must prove (1) counsel's performance fell below an objective standard of reasonableness, and (2) the applicant sustained prejudice as a result of counsel's deficient performance. Id. at 687-88; Cherry v. State, 300 S.C. 115, 117-18, 386 S.E.2d 624, 625 (1989). Failure to make the required showing of either deficient performance or sufficient prejudice defeats the ineffectiveness claim. Strickland, 466 U.S. at 700; see also Bell v. Cone, 535 U.S. 685, 695 (2002) (explaining that

"[without proof of both deficient performance and prejudice to the defense... it could not be said that the sentence or conviction resulted from a breakdown in the adversary process that rendered the result of the proceeding unreliable" (citation and internal quotation marks omitted)).

Because the Sixth Amendment right to counsel also applies to a defendant entering a guilty plea, Hill v. Lockhart, 474 U.S. 52 (1985), extended the two-part Strickland test to challenge guilty pleas based on ineffective assistance of counsel. See Padilla v. Kentucky, 559 U.S. 356, 373 (2010) (recognizing that the guilty plea process is a "critical phase of litigation" for purposes of the Sixth Amendment right to effective assistance of counsel). The analysis of counsel's performance under the first prong of Strickland remains unchanged, the applicant must show that counsel's representation fell below an objective standard of reasonableness demanded of attorneys in criminal cases. Hill, 474 U.S. at 58-59; accord Thompson v. State, 340 S.C. 112, 115, 531 S.E.2d 294, 296 (2000).

An applicant alleging his guilty plea was induced by ineffective assistance of counsel must prove counsel's advice to plead guilty was not "within the range of competence demanded of attorneys in criminal cases." Hill, 474 U.S. at 56. The second, or "prejudice" prong, however, "focuses on whether counsel's constitutionally ineffective performance affected the outcome of the plea process." Id. at 58-59. Specifically, when an applicant claims counsel's deficient performance caused him to accept a plea, the applicant "must show that there is a reasonable probability that, but for [plea] counsel's [alleged] errors, he would not have pleaded guilty and would have insisted on going to trial." Id. at 59.

This inquiry "focuses on a defendant's decision-making" and does not turn on the outcome of a defendant's actual criminal proceeding or potential outcome had a defendant chosen to proceed to trial. Lee v. United States, 582 U.S. 357, 367 (2017). However, an applicant must convince the

court that a decision to reject the plea bargain would have been rational under the circumstances. Padilla, 559 U.S. at 372. The question here is whether the applicant, if correctly informed of circumstances surrounding the plea, would have pleaded guilty—**not** whether counsel would have still advised him or her to plead guilty. Turner v. State, 335 S.C. 382, 385, 517 S.E.2d 442, 444 (1999) (emphasis added).

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

Applicant has alleged and elected to pursue various claims of ineffective assistance of counsel through the post-conviction relief action presently before this Court. In analyzing these claims, this Court has considered the legal arguments by counsel and thoroughly reviewed the record in its entirety. This Court additionally heard the testimony presented at the evidentiary hearing and was able to observe the witnesses, which allowed the Court to evaluate and scrutinize their credibility.

Upon conducting and completing its analysis, this Court finds that Applicant has failed to establish any constitutional violations or deprivations that would require this Court to grant her application for post-conviction relief. See Rule 71.1(e), SCRCP (stating that in a post-conviction relief action, "[t]he applicant has the burden of establishing his entitlement to relief by a preponderance of the evidence."); Lucero v. State, 414 S.C. 238, 244, 777 S.E.2d 409, 412 (Ct. App. 2015) ("In a PCR proceeding, the applicant bears the burden of establishing that he or she is entitled to relief."); Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985) ("The burden of proof is on the Applicant in post-conviction proceedings to prove the allegations in his application.").

Accordingly, set forth below are the relevant findings of fact and conclusions of law as required by § 17-27-80 of the South Carolina Code:

INITIAL FINDINGS

This Court finds applicable the strong presumption that at all stages of Plea Counsel's representation of Applicant, he rendered adequate assistance and exercised reasonable professional judgment in his representation. Ard v. Catoe, 372 S.C. 318, 331, 642 S.E.2d 590, 596 (2007) (citing Strickland, *supra*). The United States Supreme Court has cautioned that "every effort be made to eliminate the distorting effects of hindsight" and evaluate counsel's decisions at the time they were made. Strickland, 466 U.S. at 689; see Whitehead v. State, 308 S.C. 119, 122, 417 S.E.2d 529, 531 (1992).

ALLEGATIONS OF INEFFECTIVE ASSISTANCE OF PLEA COUNSEL

Allegation: **Plea Counsel was ineffective for advising Applicant she would not receive more than a 7-year sentence; and that the trafficking methamphetamine, 28-100 grams charge would be dismissed.**

Applicant alleges Plea Counsel's representation was constitutionally ineffective for advising Applicant that she would not receive more than a 7-year sentence; and that the trafficking methamphetamine, 28-100 grams charge would be dismissed. This Court finds this allegation is without merit.

An applicant who enters a guilty plea on the advice of counsel may only attack the voluntary and intelligent character of the plea by showing that trial counsel's representation fell below an objective standard of reasonableness and that there is a reasonable probability that, but for trial counsel's errors, the defendant would not have pled guilty but would have insisted on going to trial instead. Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2001); Richardson v. State, 310 S.C. 360, 363, 362 426 S.E.2d 795, 797 (1993). Applicant has presented no valid reason why he should be able to depart from the statements made during her guilty plea. See Crawford v. United States, 519 F.2d 347, 350 (4th Cir. 1975), overruled on other grounds by United States v.

Whiteley, 759 F.2d 317 (4th Circ. 1985) (finding that the accuracy and truth of an accused's statements at a guilty plea proceeding are "conclusively" established unless he makes some reasonable allegation why this should not be so). "When 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." Moorehead v. State, 329 S.C. 329, 333, 496 S.E.2d 415, 416 (1998) (citing Wolfe v. State, 326 S.C. 158, 485 S.E.2d 367 (1997)).

PCR Evidentiary Hearing

Plea Counsel testified on direct examination he did not tell Applicant she would receive a 7-year sentence. Plea Counsel testified he discussed the sentencing ranges with Applicant, and he believed it was in her best interest to plead guilty. Plea Counsel testified he did not recall Applicant ever wanting to go to trial.

Findings

This Court finds the colloquy at the plea hearing shows that Applicant's plea was knowingly and voluntarily entered. See Rayford v. State, 314 S.C. 46, 443 S.E.2d 805 (1994) ("finding a guilty plea voluntary where [Applicant] admitted committing the crimes, acknowledged the potential sentences, and stated that his plea had not been induced by promises"). This Court finds the colloquy shows that Applicant did not have any misconceptions regarding sentencing. Judge Fant informed Applicant that she still has a sentence for the trafficking methamphetamine, 28-100 grams, which she previously pled guilty to. (Plea Tr. p. 14). Applicant confirmed that she understood this information. (Plea Tr. p. 14). Further, Judge Fant inquired whether Applicant understood that she was also appearing to plead guilty to the offense of trafficking methamphetamine, 10-28 g, 1st offense, carries 3 to 10 years. (Plea Tr. p. 14; 16).

Applicant confirmed that she understood this information. (Plea Tr. p. 14). Judge Fant inquired whether Applicant understood that trafficking methamphetamine, 28-100 grams, carries 7 to 25 years with a \$50,000 fine. (Sentencing Tr. p. 16). Applicant confirmed that she understood this information. (Sentencing Tr. p. 16). Applicant should be held to the assertions [s]he made to the court. See generally Wolfe, 485 S.E.2d at 367 (“[Applicant’s] claim he understood from counsel that the trial judge’s questions at the guilty plea were only a ‘polite fiction’ was ‘not an invitation to answer untruthfully’”). Moreover, to whatever extent Applicant was not entirely satisfied with Plea Counsel’s representation or investigations, she was presented an opportunity to express her dissatisfaction to the plea court, knowingly opted not to do so, and instead chose to avail herself of the benefit of his guilty plea.

Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom. Thus, this allegation must be **DENIED** and **DISMISSED with PREJUDICE**.

Allegation 2: Failure to investigate and review discovery.

Applicant alleges Counsel’s representation was constitutionally ineffective for failing to investigate and review discovery. This Court finds these allegations are without merit.

In order to prevail upon a claim that counsel did not adequately prepare or investigate a case, an applicant must present evidence of what counsel could have discovered or what other defenses applicant could have requested counsel develop and present had counsel been more prepared. Harris v. State, 377 S.C. 66, 75–76, 659 S.E.2d 140, 145–46 (2008) (citing Jackson v. State, 329 S.C. 345, 353–54, 495 S.E.2d 768, 772 (1998)), abrogated on other grounds by Smalls v. State, 422 S.C. 174, 810 S.E.2d 836 (2018). Likewise, in order to prevail on a claim that counsel

did not review discovery with applicant, the applicant must demonstrate prejudice by showing what evidence could have been discovered or what other defenses could have been pursued. Id.

Findings

Applicant failed to present “any evidence of how additional preparation or communication would have resulted in a different outcome.” Smith v. State, 404 S.C. 493, 500, 745 S.E.2d 378, 382 (Ct. App. 2012); Applicant has not suggested any defenses, or any evidence or anything that should have been investigated further, resulting in mere speculation. Further, Applicant failed to present any evidence or witnesses at the evidentiary hearing to substantiate her claims. Plea Counsel *credibly* testified he reviewed the discovery with Applicant. Further, to whatever extent Applicant was not entirely satisfied with the amount of time to prepare and investigate the charges, she was presented an opportunity to express her dissatisfaction to the plea court and chose to proceed with her guilty plea. Applicant has failed to prove deficiency or prejudice, and thus this claim is **DENIED** and **DISMISSED**.

[CONCLUSION PAGE TO FOLLOW]

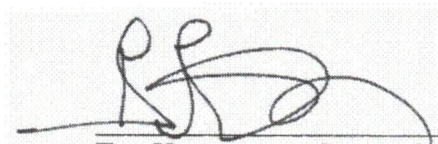
CONCLUSION

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 her 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), an Applicant has the right to an appellate counsel's assistance in seeking review of the denial of PCR. Rule 71.1(g), SCRCP, provides that PCR counsel must serve and file a Notice of Appeal on the Applicant's behalf if the Applicant wishes to seek appellate review. 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.



THE HONORABLE GRACE GILCHRIST KNIE
Presiding Judge
Thirteenth Judicial Circuit

7/22/26 Spartanburg, South Carolina