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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

Deadra L. Jefferson., Circuit Court Judge

2025-CP-23-01055

Ianteves Lamar Rogers, Appellant,
v.
The State, Respondent.

NOTICE OF APPEAL

Ianteves Lamar Rogers appeals the Honorable Deadra L. Jefferson's Order of Dismissal filed July 26, 2026.

This 13th day of August, 2026

s/ Susannah Ross
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STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Ianteves Lamar Rogers, SCDC #375255,

Applicant,

V.

State of South Carolina,

Respondent.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

CASE NO. 2025-CP-23-01055

ORDER OF DISMISSAL WITH PREJUDICE

Presiding Judge: Deadra L. Jefferson
Applicant's Attorney: Susannah C. Ross, Esq.
Respondent's Attorney: Sydney N. Willingham, Esq.
Plea Counsel: Nekedia A. Heath, Esq.
Date of Hearing: April 20, 2026
Court Reporter: Hollie M. Jenkins

This matter came before the Court on April 20, 2026, on an application for post-conviction relief (“PCR”) filed by Ianteves Lamar Rogers (“Applicant”) February 18, 2025. Respondent filed its Return on April 30, 2025, and requested an evidentiary hearing. Applicant was present and represented by Susannah C. Ross, Esq. Appearing for the Respondent is Assistant Attorney General Sydney N. Willingham, Esq. Applicant proceeded on the allegations in his application. This Court received testimony from Applicant and his plea counsel, Nekedia A. Heath, Esq.

Following a thorough review of the record, along with the testimony and evidence presented at the hearing, this Court finds Applicant has failed to meet his burden of proof in establishing any constitutional violations or deprivations entitling him to relief. Accordingly, relief is Denied, and the application is Dismissed with Prejudice.

PROCEDURAL HISTORY

Applicant is currently confined in the South Carolina Department of Corrections, Turbeville Correctional Institution, pursuant to orders of commitment from the Greenville County

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Clerk of Court.¹ On May 4, 2021, the Greenville County Grand Jury indicted Applicant for Murder (Count One, Indictment No.: 2021-GS-23-02635) and Possession of a Weapon during the Commission of a Violent Crime (“PWDCVC”) (Count Two, Indictment No. 2021-GS-23-02635). Applicant was represented by Nekedia A. Heath, Esq. Marcus L. Smith, Esq. of the 13th Circuit Solicitor’s Office prosecuted the case.

On August 29, 2024, Applicant pled guilty to the offenses of Murder (Count One, Indictment No.: 2021-GS-23-02635)² before the Honorable Jessica A. Salvini and was sentenced pursuant to a recommendation.³ Judge Salvini sentenced Applicant to the South Carolina Department of Corrections for a period of thirty (30) years for Murder.⁴ Judge Salvini gave the Applicant credit for time served pursuant to S.C. Code Ann. § 24-13-40 to be calculated and applied by SCDC. Applicant did not file a direct appeal.

The solicitor presented the following recitation of facts:

Judge, this incident actually happened almost four years ago on September the 8th of 2020 in Greenville County. Deputies responded to Woodstream Apartments where they found the victim, Antwanaza Rogers in the driver’s seat of her car dead as a result of a gunshot to the head. The investigation revealed that the Defendant and victim were married and had a 10-month-old son at the time of this incident. Antwanaza was 21 years old and worked a full-time job while the Defendant struggled to find work. The couple had been having marital difficulties and there had been talk of separating.

The afternoon, evening prior to the shooting, Antwanaza and her 13-year-old sister, Anari Cason, and the couple’s child, Junior, went to the grandmother’s home. The Defendant showed up later and the situation seemed fine at the time. A little while later, Antwanaza, Anari, and Junior left.

Antwanaza’s mother was asked to watch Junior and the two sisters left to go hang out with friends. Later the Defendant began calling and texting wanting to know

¹ At the time of filing the State’s Return, Applicant was at McCormick Correctional Institution.

² Applicant’s PWDCVC charge (Count Two, Indictment No. 2021-GS-23-02635) was dismissed as part of his guilty plea.

³ The recommended plea that was before the Court was a term of imprisonment for thirty (30) years. Plea Tr. 9:20-25; see also Def.’s Sentencing Sheet.

⁴ The offense of murder, a violent and most serious offense, is punishable by death, or by a mandatory minimum term of imprisonment for thirty (30) years to life. S.C. Code Ann. § 16-3-20.

when Antwanaza was coming home. The Defendant continued to call or text. Around 2:45 am, the Defendant sent a text telling Antwanaza to come home.

During the time when all these texts and calls were being made, the Defendant was also communicating with his family. His mother, Wendy McNatt, was worried that he might do something and asked his younger brother, Trayvis Mayes, to check on him and to keep an eye on him. Trayvis was at Woodstream Apartments that night. Video cameras in the parking lot show the Defendant arrived at Woodstream Apartments, walked towards the apartment and a short time later returned to his vehicle where he sat and waited for Antwanaza to return home.

Video shows Antwanaza and Anari arriving at the apartments around 3:45 am and parking next to the Defendant's vehicle. The Defendant exited his vehicle and walked to the driver's side of Antwanaza's vehicle. The door was opened and the Defendant asked Antwanaza several times where she had been and what she had been doing, each time Antwanaza stated that she had just been chilling, and that she had not done anything wrong.

The Defendant then shot Antwanaza in the head killing her. Anari was sitting in the passenger's seat when the shooting occurred, she immediately ran from the car to the apartment leaving one Croc, her shoe, in the car floorboard and one in the parking lot literally running out of her shoes. Upon getting to the landing, Trayvis was outside, the brother was outside having heard the shot and scream. Anari told him to call the police and 911 was called.

During the investigation on the scene, the Defendant's mother, Ms. McNatt arrived. She had had a conversation with the Defendant shortly after the incident in which the Defendant indicated to her that he had shot Antwanaza and that she might want to go check on her.

(Plea Tr. 11-13).

CURRENT ALLEGATIONS & RELIEF SOUGHT

In his application for post-conviction relief, Applicant alleges he is entitled to relief based on the following:

- I. Involuntary Guilty Plea
- II. Ineffective Plea Counsel
- III. Prosecutorial Misconduct⁵

⁵ Applicant failed to present testimony or other evidence in support of this allegation, and therefore, this Court deems it abandoned. The allegation is addressed specifically, *infra*.

(PCR App. 2).⁶ Applicant asks this Court to “reduce murder offense to manslaughter; reduce sentence.” (PCR App. 6).⁷

STANDARD OF REVIEW

The Uniform Post-Conviction Procedure Act (the Act)⁸ 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;
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).

⁶ Applicant wrote “See Memorandum of Law,” in response to No. 11 on the application, however, Respondent never received any additional attachments.

⁷ Applicant’s requested relief is not within this Court’s jurisdiction. Moreover, Applicant is serving the mandatory minimum, and neither this Court, nor a sentencing court, can sentence Applicant to less than 30 years for murder.

⁸ S.C. Code Ann. §§ 17-27-10 to -160.

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), SCRPC; 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.

This Court has had the opportunity to review the records before it, including the Greenville County Clerk of Court records of the underlying conviction, Applicant's records from the South Carolina Department of Corrections, the plea transcript, and the records from this PCR action. This Court has further had the opportunity to observe the witnesses presented at the hearing, closely pass upon their credibility, and weigh their testimony accordingly. After a careful review based on the Strickland standard set forth below, this Court finds Applicant has failed to carry his burden of proof. Below are the Court's findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80.

Allegations of Ineffective Assistance of Plea Counsel

Allegation 1: Involuntary Guilty Plea.

Applicant alleges Counsel's representation was constitutionally ineffective, specifically, Applicant alleges that his plea was entered involuntarily due to the advice of Counsel. This Court finds this allegation is without merit.

An applicant who enters a 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. See Roscoe v. State, 345 S.C.16, 20, 546 S.E.2d 417, 419 (2001); see also Richardson v. State, 310 S.C. 360, 362, 426 S.E.2d 795, 797 (1993). In determining guilty plea issues, it is proper to consider the guilty plea transcript as well as evidence presented at the PCR hearing. See Harres v. Leeke, 282 S.C. 131, 133, 318 S.E.2d 360, 361 (1984) (finding the voluntariness of a guilty plea "is not determined by an examination of the specific inquiry made by the sentencing judge alone

but is determined from both the record made at the time of the entry of the guilty plea and the record of the post-conviction hearing.”).

To find a guilty plea has been voluntarily and knowingly entered, the record must establish Applicant had a complete understanding of the consequences of the plea and the charges against him or her. Dover v. State, 304 S.C. 433, 434, 405 S.E.2d 391, 392 (1991). Before a Court can accept a guilty plea, the defendant must be advised of the constitutional rights he is waiving, the right to a jury trial, the right to confront one’s accusers, and the privilege against self-incrimination. Boykin v. Alabama, 395 U.S. 238, 244 (1969). Additionally, the defendant “must be aware of the nature and crucial elements of the offense, the maximum and any mandatory minimum penalty, and the nature of the constitutional rights being waived.” Pittman v. State, 337 S.C. 597, 599, 524 S.E.2d 623, 624 (1999). The defendant’s knowing and voluntary waiver of statutory or constitutional rights must be established by a complete record, and “may be accomplished by colloquy between court and defendant, between court and defendant’s counsel, or both.” State v. Ray, 310 S.C. 431, 437, 427 S.E.2d 171, 174 (1993).

In the instant case, the colloquy of the guilty plea demonstrates 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”). The colloquy establishes that Applicant had no misconceptions regarding sentencing. Judge Salvini informed Applicant that he was entering a guilty plea for murder. (Plea Tr. 5). Applicant confirmed that he did not need his lawyer to engage in any further investigation and he was satisfied with her services. (Plea Tr. 9). Applicant confirmed that it was his free and voluntary decision to plead. (Plea Tr. 10). Applicant was advised of his constitutional right to a jury trial

where the State must prove its case beyond a reasonable doubt, the right to confront all witnesses, examine all the evidence presented against him, and the right to remain silent. (Plea Tr. 10). Applicant confirmed that he understood that he was waiving these rights by entering a guilty plea. (Plea Tr. 11). Applicant should be held to the assertions 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’”).

PCR Evidentiary Hearing

Plea Counsel testified on direct examination that she was not Applicant’s first attorney in this case. Plea Counsel testified that when she was retained, the case was already on the trial docket within the next three (3) to four (4) months. Plea Counsel testified that Applicant agreed it would not prolong his case if he chose to retain her and no continuances would be granted. Plea Counsel testified that she visited Applicant at the jail at least two (2) times a month approximately ten (10) times during her representation, in addition to speaking with him and his mother over the phone. Plea Counsel testified she discussed the option of pleading or proceeding to trial at length with Applicant and that he had no intention of going to trial due to the overwhelming evidence in the case. She further testified that Applicant was very clear from the beginning that he desired a plea with an objective to always obtain the best plea deal possible. Plea Counsel testified that the State’s evidence included a video of the incident, an eyewitness, and a confession from Applicant. Further, Plea Counsel testified that she discussed Applicant’s constitutional rights, the potential sentences he would face if he proceeded to trial, and that she believed he would likely receive a life sentence had he done so. Plea Counsel testified it was Applicant’s decision alone to enter the guilty plea. Plea Counsel testified she believed it was in Applicant’s best interest to plead.

Findings

As an initial matter, this Court finds the record supports that Judge Salvini informed Applicant that the offense of murder carries a mandatory minimum sentence of thirty years. (Plea Tr. 9). This Court finds from the record that Applicant understood the charges, range of penalty, his constitutional rights, the weight of the evidence, and the proceedings against him. Further, this Court finds Plea Counsel's testimony credible and Applicant's testimony on this topic not credible. Plea Counsel testified that she discussed the option of proceeding to trial or pleading with Applicant and the possible sentencing outcome had he decided to proceed with the trial. Plea Counsel testified that at no point during her conversations with Applicant prior to his plea did Applicant want to proceed with trial. Further, Judge Salvini questioned Applicant whether he believed his attorney needed to do any further investigation on his behalf. (Plea Tr. 9). Applicant answered, "No, ma'am." Id. Moreover, to whatever extent Applicant was not entirely satisfied with the plea, he was presented an opportunity to express his dissatisfaction with the plea court, knowingly opted not to do so, and instead chose to proceed with his guilty plea so that he would not have to proceed to trial.

Based on the foregoing, this Court finds Applicant has failed to present sufficient evidence to prove the first prong of the Strickland test—that Plea Counsel failed to render reasonable, effective assistance under prevailing professional norms. Furthermore, Applicant has failed to present specific and compelling evidence that Plea Counsel committed either errors or omissions to prove the second prong of Strickland—that he was prejudiced by Plea Counsel's performance.

Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom, and thus, this allegation is Denied.

Allegation 2: Ineffective Assistance of Plea Counsel.

Applicant alleges Counsel's representation was constitutionally ineffective. Specifically, Applicant alleges that Counsel was ineffective for failing to investigate his case. This Court finds this allegation is 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.

PCR Evidentiary Hearing

Applicant testified that him and Plea Counsel had a disagreement due to financial reasons. Applicant testified there was a Motion to Relieve Counsel hearing in his underlying case, however, it was denied. Applicant testified he wanted Plea Counsel to hire an investigator to look into the facts of the case, however, Plea Counsel would not do so.

Plea Counsel testified that she was not Applicant's first attorney and she was retained when Applicant's case was already on the trial docket. Plea Counsel testified she began representation with the mutual understanding between her and Applicant that her representation would not delay the disposition of the case by way of proceeding to trial or entering a plea. Plea Counsel testified she met with Applicant at least ten (10) times during her representation. Plea Counsel testified she discussed the case at length with Applicant and that Applicant never intended to go to trial. Plea

Counsel confirmed there was a motion to relieve her from the case due to Applicant's inability to pay. Plea Counsel further testified the reason she did not retain an investigator was because Applicant could not pay the appropriate funds to do so. Plea Counsel testified she continued her representation and did not waiver in her ability to represent Applicant despite his nonpayment.

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 an investigator at the evidentiary hearing to substantiate his claims. Plea Counsel *credibly* testified Applicant did not intend to go to trial, and the reason she did not hire an investigator was because there was not sufficient funding to do so. This Court finds Applicant's testimony on the matter *not credible*. Applicant was aware at the time he retained Plea Counsel that his case was set for trial and would not be further delayed. Further, to whatever extent Applicant was not entirely satisfied with the amount of time to prepare and investigate the charges, he was presented an opportunity to express his dissatisfaction to the plea court and chose to proceed with his guilty plea. Applicant has failed to prove deficiency or prejudice, and thus this claim is Denied.

Allegation 3: Prosecutorial Misconduct.

Applicant failed to present any evidence, testimony, or legal authority regarding this allegation at the evidentiary hearing. "When a party provides no legal authority regarding a particular argument, the argument is abandoned, and the court will not address the merits of the issue." Palmer v. State, 427 S.C. 36, 47, 829 S.E.2d 255, 261 (Ct. App. 2019) (citing State v.

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Lindsey, 394 S.C. 354, 363, 714 S.E.2d 554, 558 (Ct. App. 2011). Therefore, the Court deems this allegation abandoned.

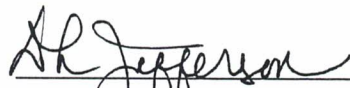
CONCLUSION

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.

Should Applicant wish to secure appellate review, he must file and serve a notice of appeal within thirty days of receipt by counsel of written notice of entry of judgment. 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), SCRCRCP, 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. Attention is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Application for Post-Conviction Relief is Denied and Dismissed with Prejudice; and Applicant shall remain in the custody of the South Carolina Department of Corrections.

AND IT IS SO ORDERED.



Hon. Deadra L. Jefferson 2128

Presiding Judge

Thirteenth Judicial Circuit

July 21, 2026
Charleston, South Carolina
At Chambers

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