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**Aug 25 2026**

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT  
APPEAL FROM GREENVILLE COUNTY

S.C. SUPREME COURT

Court of Common Pleas

HONORABLE J. DERHAM COLE, JR.

2023-CP-23-03044

VERNON E. JORDAN, SCDC# 214263

APPELLANT,

vs.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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**NOTICE OF APPEAL**

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Vernon E. Jordan appeals the denial of his Post Conviction Relief. The Post Conviction Relief Action was heard and denied by the Honorable Vernon E. Jordan, Jr, Circuit Judge on January 29, 2025 an Order issued on July 29, 2026 and filed on August 5, 2026. The Appellant received notice of the judgment on August 25, 2026.

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STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

Vernon E. Jordan, SCDC #214263

Applicant,

v.

State of South Carolina,

Respondent.

) IN THE COURT OF COMMON PLEAS  
) FOR THE THIRTEENTH JUDICIAL  
) CIRCUIT

) Case No. 2023-CP-23-03044

) **ORDER DENYING**  
) **POST-CONVICTION RELIEF**

FILED: 26AUG5PM3:12  
COC JAY GRESHAM GUL SC

This matter is before the Court pursuant to an application for post-conviction relief ("PCR") filed by Vernon E. Jordan ("Applicant"). The application was filed on June 18, 2023. Applicant was present and represented by Rodney Richey, Esquire. Assistant Attorney General Kaylee C. Kemp represented Respondent. At the hearing, Applicant testified on his own behalf and called as a witness trial counsel Stuart Sarratt, Esquire ("Sarratt"). Respondent did not call any witnesses. Following a thorough review of the record and the evidence presented at the evidentiary hearing, this Court finds Applicant did not meet his burden of proof. Thus, this Court DENIES relief and dismisses this application with prejudice.

#### PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections ("SCDC"), serving a thirty (30) year sentence on the following convictions: (1) Voluntary Manslaughter and (2) Possession of a Weapon during Commission of a Violent Crime. He was originally indicted for murder and the weapon charge. Applicant timely appealed from his convictions, and his appeals were dismissed.

### CURRENT APPLICATION

In his application, Applicant alleges that he was denied effective assistance of counsel because his trial counsel was deficient in the following: (1) failing to properly investigate a self-defense claim or locate a proposed witness for trial; (2) failing to impeach Roman Cox, a State witness; (3) stipulating to the Coroner's Autopsy Report introduced by the State; (4) conducting trial strategy to assist the State in convicting Petitioner; (5) failing to object to State's witness James Shelton stating "We had a homicide, a murder," when describing how he became involved in the case; and (6) making an improper statement during closing arguments that "admitted the Petitioner's guilt without his consent."

### TESTIMONY PRESENTED AT THE EVIDENTIARY HEARING

#### *Applicant's Testimony*

At the evidentiary hearing, Applicant testified that he had very little discussion with counsel pre-trial. He further testified that he did not discuss the strategy of pursuing a manslaughter instruction in the case. He stated that trial counsel was not diligent in attempting to locate a witness identified as "Lori." Applicant also alleged that trial counsel was deficient in stipulating to the admission of the coroner's autopsy report. Finally, Applicant testified that it would have been beneficial for him to testify at trial in support of a defense-of-others theory, although doing so would have subjected him to cross-examination regarding his prior convictions and other matters.

#### *Trial Counsel's Testimony*

Sarratt represented Applicant at trial. He testified that Applicant's version of the facts was inconsistent throughout the course of his representation leading up to trial. Sarratt testified that the State originally extended a plea offer of twenty-five (25) years for voluntary manslaughter, but

Applicant rejected the offer because he insisted he was not there at the time. Sarratt further testified that his investigator attempted to locate "Lori," but was unable to do so. He also testified that eyewitness Roman Cox did not mention the existence of this woman until trial. Sarratt further testified that he did not object to the admission of the autopsy report because it contained no information prejudicial to Applicant. Likewise, he did not object to a testifying officer's use of the terms "homicide" or "murder" because there was no basis for such an objection. Finally, Sarratt testified that Applicant's prior criminal record and prior inconsistent statements would have impaired his credibility had he testified.

#### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

In a post-conviction relief action, the burden of proof is on the applicant to prove his allegations by a preponderance of the evidence. Rule 71.1(e), SCRCP. To carry his burden of proof regarding his allegations of ineffective assistance of counsel, Applicant must establish (1) that counsel's performance was deficient under prevailing professional norms, and (2) that counsel's deficient performance prejudiced the defense such that there is a reasonable probability that, but for counsel's errors, the result of the proceeding would have been different. *Strickland v. Washington*, 466 U.S. 668 (1984); *Cherry v. State*, 300 S.C. 115, 386 S.E.2d 624 (1989).

The Court finds that Applicant has failed to meet his burden in this case. Based on the testimony and record before the Court, the Court does not find that Applicant has established deficient performance on the part of trial counsel by a preponderance of the evidence. The Court finds Sarratt's testimony credible regarding the decisions he made concerning the investigation of the case, the potential defenses, and his trial strategy with respect to evidentiary matters and witness examination. The Court also finds no evidence that Sarratt's strategy was to assist the State in securing Applicant's conviction. Likewise, the Court does not find deficient Sarratt's closing

argument asking the jury to consider the hypothetical that, even if it believed all of the State's evidence, that evidence supported a conviction for voluntary manslaughter rather than murder.

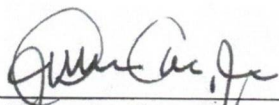
Even allowing for the possibility that Applicant's trial counsel was deficient in one or more of the respects alleged by Applicant, the Court finds there is no reasonable probability that the outcome of the case would have been different. The State presented eyewitness testimony, and it also presented circumstantial evidence linking Applicant to the crime, including the decedent's belongings that were observed in Applicant's possession.

#### CONCLUSION

Based on the foregoing, this Court finds and concludes Applicant has not established any constitutional violations or deprivations that would require this Court to grant relief. Thus, this application is DENIED and DISMISSED with prejudice.

Applicant and counsel are referred to Rule 71.1(g), SCRCP, regarding review and appeal from this decision. Furthermore, copies of this Order shall be filed and served as provided in Rule 71.1(f), SCRCP.

July 29, 2026  
Greenville, South Carolina

  
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J. DERHAM COLE, JR.  
Presiding Judge  
Thirteenth Judicial Circuit