

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Steven H. John, Circuit Court Judge

CASE NO. 2012-CP-26-6940

Barbara Chavis Wright # 350454.....Appellant

v.

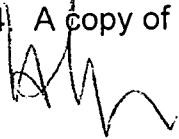
State of South Carolina.....Respondent

NOTICE OF APPEAL

Barbara Chavis Wright, # 350454, appeals the Honorable Steven H. John, January 9, 2014, order denying post-conviction relief to the Respondent. Undersigned counsel received notice of entry of the order on January 17, 2014. A copy of the order on appeal is attached to this notice.

Date: January 28, 2014

Other counsel of record:
Joshua L. Thomas, Esquire
Post Office Box 11549
Columbia, SC 29211



Heather M. Cannon, Esquire
Attorney for Appellant
1421 Third Avenue
Conway, SC 29526

RECEIVED

FEB 03 2014

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Stephen H. John, Circuit Court Judge

CASE NO. 2012-CP-26-6940

Barbara Chavis Wright #350454.....Appellant

v.

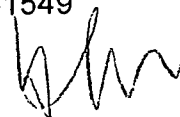
State of South Carolina.....Respondent

PROOF OF SERVICE

I hereby certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of the Notice in the United States Mail, postage prepaid, on January 31, 2014 addressed to the attorney of record:

Joshua L. Thomas, Esq.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211-1549

Date: 01/31/2014



Heather M. Cannon, Esquire
Trial counsel for the
Applicant Barbara Chavis Wright # 350454
1421 Third Avenue
Conway, SC 29526
Phone: (843) 488-2426
Fax: (843) 488-2428

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM Horry COUNTY
Court of Common Pleas
Steven H. John Circuit Court Judge

CASE NO. 2012-CP-26-6940

Barbara Chavis Wright # 350454.....Appellant

v.

State of South Carolina.....Respondent

PROOF OF SERVICE

I hereby certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of the Notice in the United States Mail, postage prepaid, on Wednesday, January 31, 2014, addressed to the attorney of record:

The Supreme Court
Post Office Box 11330
Columbia, SC 29211

Date: January 31, 2014



Heather M. Cannon, Esquire
Trial counsel for the
Applicant Barbara Chavis Wright # 350454
1421 Third Avenue
Conway, SC 29526
Phone: (843) 488-2426
Fax: (843) 488-2428

RECEIVED

FEB 03 2014

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTEENTH JUDICIAL CIRCUIT

Barbara Chavis Wright, #350454,)

Case No. 2012-CP-26-6940

Applicant,)

v.)

ORDER OF DISMISSAL

State of South Carolina,)

Respondent.)

FILED
CLERK OF COURT
SEP 10 PM 12:49
HORRY COUNTY

This matter comes before the Court by way of an Application for Post-Conviction Relief (PCR) filed September 11, 2012. Respondent made its return on or about November 27, 2012. The Court convened an evidentiary hearing into the matter on December 18, 2013, at the Horry County Government and Judicial Complex. Applicant was present at the hearing and represented by Heather M. Cannon, Esquire. Joshua L. Thomas, Esquire, of the South Carolina Attorney General's Office, represented Respondent.

Applicant testified on her own behalf at the PCR hearing. Applicant's plea counsel, William Edward Chrisco, Esquire, also testified. The Court had before it a copy of the plea transcript, the records of the Horry County Clerk of Court, Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief, and the return.

The Court finds as follows:

I. PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant

to orders of commitment from the Horry County Clerk of Court. In December 2011, the Horry County Grand Jury indicted Applicant for murder (2011-GS-26-4335) and attempted murder (2011-GS-26-4336). Applicant was represented by William Edward Chrisco, Esquire ("plea counsel"). On April 12, 2012, Applicant pled guilty to voluntary manslaughter and attempted murder. The Honorable Edward B. Cottingham sentenced Applicant to concurrent terms of imprisonment for twenty (20) years on each charge. Applicant did not appeal her plea or sentence.

II. ALLEGATIONS

In her application, Applicant alleges she is being held in custody unlawfully for the following reasons:

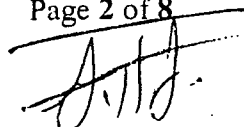
1. "Ineffective counsel"

- a. "I was pressured into taking a guilty plea and I was told by my attorney that I would get the Attempted Murder charge dropped if I pled."

At the PCR hearing, the Applicant proceeded on allegations of ineffective assistance of plea counsel for failure to investigate her mental capacity and ineffective assistance of plea counsel for failure to file an appeal.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court reviewed the record in its entirety and heard the testimony and arguments presented at the PCR hearing. Further, this Court had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court weighed the

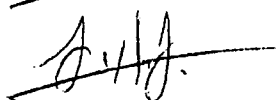
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testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80 (2003).

A. Summary of Testimony

Applicant testified plea counsel was ineffective for failing to file an appeal. However, Applicant did not recall ever asking plea counsel to file an appeal on her behalf. Applicant further testified she did not want to plead guilty because she felt she was "out of her mind" at the time she committed the crime. She testified she believed she told plea counsel she "flipped out" before committing the crime. Applicant also alleged plea counsel was ineffective for failing to investigate her mental health. However, Applicant did recall having an evaluation done prior to her plea. Applicant testified she felt pressured because plea counsel advised her to plead guilty. She also testified she discussed the elements of voluntary manslaughter with plea counsel before entering her plea.

Plea counsel testified he filed discovery motions the day he was appointed to Applicant's case. He testified the State provided a full response which included eye-witness statements and a taped confession from Applicant. He testified he met with Applicant about seven (7) times and reviewed discovery with her. Plea counsel testified he immediately ordered an evaluation for Applicant. The evaluation determined Applicant was competent and plea counsel testified he had no concerns regarding Applicant's ability to enter a plea. He further testified his investigation was limited because Applicant confessed. On cross-examination, plea counsel testified he did not challenge the results of the evaluation because he had no reason to believe

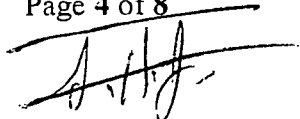


Applicant was not competent to plea. He further testified he did not investigate her missing medical records because they were not related to her mental health.

Plea counsel testified the State initially offered a thirty (30) year plea. He testified he was able to negotiate a plea to voluntary manslaughter for twenty (20) years as he felt manslaughter was a more appropriate charge under the circumstances. Plea counsel testified he discussed the elements of voluntary manslaughter with Applicant before her plea. Plea counsel testified Applicant made the ultimate decision to accept the plea. He testified he would have been prepared for a trial if Applicant had asked for one, but he advised her they would likely be unsuccessful at trial. Regarding an appeal from the plea, plea counsel testified he advised Applicant of her right to appeal, but she never asked for one and he had no reason to believe one was necessary.

B. Ineffective Assistance of Plea Counsel

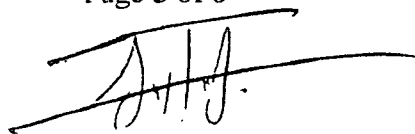
In a post-conviction relief action, the applicant bears the burden of proving the allegations in her application. Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985) (citing Griffin v. Martin, 278 S.C. 620, 300 S.E.2d 482 (1983)). Where the application alleges ineffective assistance of counsel as a ground for relief, the applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Id. at 442, 334 S.E.2d at 814 (citing Strickland v. Washington, 466 U.S. 668 (1984)).

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The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Id. (citing Strickland, 466 U.S. at 687; Turner v. Bass, 753 F.2d 342 (4th Cir. 1985); Marzullo v. Maryland, 561 F.2d 540 (4th Cir. 1977)). Courts presume counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Id. (citing Strickland, 466 U.S. at 690). The applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

Courts use a two-pronged test in evaluating allegations of ineffective assistance of counsel. Id. at 117, 386 S.E.2d at 625. First, the applicant must prove counsel's performance was deficient. Id. Under this prong, courts measure an attorney's performance by its "reasonableness under prevailing professional norms." Id. (citing Strickland, 466 U.S. at 688). Second, any deficient performance must have prejudiced the applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Id. at 117-18, 386 S.E.2d at 625. With respect to guilty plea counsel, the applicant must show there is a reasonable probability that, but for counsel's alleged errors, she would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 59 (1985).

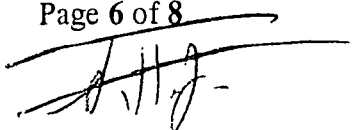
The Court finds Applicant failed to meet her burden of proof to show trial counsel ineffective. Applicant has not shown plea counsel's performance was deficient in any way. Specifically, the Court finds plea counsel adequately conferred with Applicant, conducted a

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proper investigation, and was thoroughly competent in his representation. Regarding the allegation plea counsel failed to adequately investigate Applicant's competency, the Court finds plea counsel's testimony credible and that plea counsel had Applicant evaluated and had no reason to doubt the results of the evaluation. The plea judge adopted the finding of the evaluation in finding Applicant competent. (Trial Tr. 7:4-8). Therefore, plea counsel did all that is expected of him in this regard.

Regardless, Applicant failed to show any prejudice from plea counsel's performance. The Court finds there is overwhelming evidence of Applicant's guilt. Eyewitnesses saw Applicant drive her car into the moped the victims were riding. She then gave a confession during an interview with police and at her bond hearing. Based on this evidence, Applicant cannot show she was prejudiced by plea counsel's performance See Harris v. State, 377 S.C. 66, 79, 659 S.E.2d 140, 147 (2008) (citations omitted) (overwhelming evidence of guilt negates any claim of deficient performance). Applicant also did not present any evidence at the PCR hearing to counter the evaluation adopted at the time of her plea. Therefore, any testimony about her mental capacity or her missing medical records is merely speculative. See Dempsey v. State, 363 S.C. 365, 370, 610 S.E.2d 812, 815 (2005). Furthermore, the Court's observation of Applicant at the hearing was that she provided thoughtful responses to the questions presented and was not confused such as to call into question her capacity.

Applicant's allegation plea counsel failed to file an appeal is likewise without merit. "Absent extraordinary circumstances ... there is no constitutional requirement that a defendant

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be informed of the right to a direct appeal from a guilty plea.” Turner v. State, 380 S.C. 223, 224-25, 670 S.E.2d 373, 374 (2008) (citing Roe v. Flores-Ortega, 528 U.S. 470 (2000); Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995)). The Court finds credible plea counsel’s testimony he advised Applicant of her right to appeal and that Applicant never requested he file an appeal for her. The Court finds Applicant has not demonstrated “there are nonfrivolous grounds for appeal” or that she “reasonably demonstrated an interest in appealing[.]” Id. Therefore, Applicant has not shown plea counsel was deficient for failing to file an appeal.

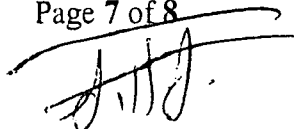
C. All Other Allegations

As to any and all allegations raised in the application or at the hearing and not specifically addressed in this order, the Court finds Applicant failed to present any evidence regarding such allegations. Accordingly, the Court finds Applicant has abandoned any such allegations.

IV. CONCLUSION

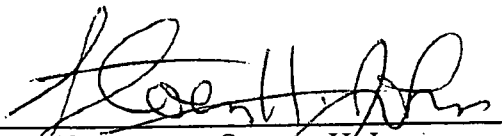
Based on the foregoing, the Court finds and concludes Applicant has not established any constitutional violations or deprivations that would require this Court to grant her application. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

The Court notes Applicant must file and serve a notice of appeal within thirty (30) days from PCR counsel’s receipt 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

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395 (1991), Applicant has a right to appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRPC, provides that if Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal. It is therefore

ORDERED that the Application for Post-Conviction Relief is denied and dismissed with prejudice and the Applicant is remanded to the custody of the Respondent.


THE HONORABLE STEVEN H. JOHN
Resident Judge
Fifteenth Judicial Circuit

January 9, 2014
Conway, South Carolina

4

FORM 5

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)
)
Barbara Chavis Wright 350454)
 Full name and prison number (if any) of Applicant.)
)
 v.)
)
 State of South Carolina)
)

IN THE COURT OF COMMON PLEAS

12

6940

APPLICATION FOR
 POST-CONVICTION RELIEF

FILED
 Horry County
 Clerk of Court
 MELANIE HUGGINS
 11 SEP 11 AM 10:15

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (possibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Camille G. Graham Corr. Inst.
2. Name and location of Court which imposed sentence Horry County Gen. Sess.
3. Name(s) of co-defendant(s) (if any) NONE
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
 - (a) 2011-GS-2604335 Voluntary Manslaughter
 - (b) 2011-GS-2604336 Attempted Murder
 - (c) _____
5. The date upon which sentence was imposed and the terms of the sentence:
 - (a) April 12, 2012 20 years Concurrent
 - (b) April 12, 2012 20 years Concurrent

Revised 3/2003

- (c) _____
6. Check whether a finding of guilty was made:
- (a) after a plea of guilty yes
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____

7. Did you appeal from the judgment of conviction or the imposition of sentence?
NO

8. If you answered "yes" to (7), list:
- (a) the name of each Court to which you appealed:
- i. N/A
- ii. _____
- iii. _____

- (b) the result in each such Court to which you appealed:
- i. _____
- ii. N/A
- iii. _____

- (c) the date of each such result:
- i. _____
- ii. N/A
- iii. _____

- (d) if known, citations of any written opinion or orders entered pursuant to such results:
- i. _____
- ii. N/A
- iii. _____

9. If you answered "no" to (7), state your reasons for not so appealing:
- (a) Did not know that I could appeal
- (b) _____
- (c) _____

10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) Ineffective Counsel
- (b) _____
- (c) _____

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

- (a) I was pressured into taking a guilty plea and I was
- (b) told by my attorney that I would get the Attempted
- (c) Murder charge dropped if I pled.

12. Prior to this application have you filed with respect to this conviction:

- (a) any petition in a State Court under South Carolina Law? NO
- (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? NO
- (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? NO
- (d) any other petitions, motions or applications in this or any other Court? NO

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or application:

- (a) the specific nature thereof:
 - i. _____
 - ii. N/A
 - iii. _____
 - iv. _____
- (b) the name and location of the Court in which each was filed:
 - i. _____
 - ii. N/A
 - iii. _____
 - iv. _____
- (c) the disposition thereof:
 - i. _____
 - ii. N/A
 - iii. _____

iv. _____

(d) the date of each such disposition:

i. _____

ii. _____ N/A

iii. _____

iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. _____

ii. _____ N/A

iii. _____

iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

ND

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

i. _____

ii. _____ N/A

iii. _____

(b) the proceedings in which each ground was raised:

i. _____

ii. _____ N/A

iii. _____

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

(a) _____

(b) _____ N/A

(c) _____

17. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? yes
- (b) your trial, if any? _____
- (c) your sentencing? yes
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? _____
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? _____

18. If you answered "yes" to one or more parts of (17), list:

(a) the name and address of each attorney who represented you:

Edward Everett ~~Edward~~ Crisco - Public Defender
 ii. P.O. Box 1666 - Conway, SC 29526

iii. _____

(b) the proceedings at which each such attorney represented you:

i. arraignment, plea, sentencing

ii. _____

iii. _____

19. State clearly the relief you seek in filing this application:

New Trial

20. Are you now under sentence from any other court that you have not challenged?

NO

12

6940

STATE OF SOUTH CAROLINA)
)
County of Richland)

VERIFICATION

I, Barbara Wright, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Barbara E. Wright

SWORN to and subscribed before me this 6th
day of September, 2012.

Holly L. Barner (L.S.)
Notary Public

My Commission Expires: My Commission Expires August 12, 2015

FILED
JURY COUNTY
2012 SEP 11 AM 10:15
MELANIE HUGGINS-WARD
CLERK OF COURT

6940

12

**APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

I, Barbara Wright, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.



Barbara C. Wright
Applicant

SWORN or affirmed to and subscribed before me this
6th day of September, 2012.

Kathy R. Barnes
Notary Public

My Commission Expires: My Commission Expires August 12, 2015

FILED
HARRIS COUNTY
2012 SEP 11 AM 10:15
MELANIE HUGGINS-MARDO
CLERK OF COURT

TATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)
)
)
)
 Barbara Wright, 350454)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS

2012-CP-26-6940

RETURN

Respondent, making its Return to the Application for post conviction relief (PCR) filed May 16, 2012, would respectfully show this Court:

I.

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Horry County Clerk of Court. Applicant was indicted at the December 2011 term of the Horry County Grand Jury for attempted murder (2011-GS-26-4336) and murder (4335). William Edward Chrisco, Esquire, represented Applicant.

On April 12, 2012, the Applicant pled guilty to the lesser included offense of voluntary manslaughter. The Honorable Edward B. Cottingham sentenced Applicant to an aggregate sentence of twenty years imprisonment on a voluntary manslaughter charge. Applicant did not appeal the conviction or sentence.

Attached herewith and incorporated herein are the records of the Horry County Clerk of Court regarding the subject conviction, and Applicant's SCDC records, and the guilty plea transcript

will be forwarded upon receipt. Respondent reserves the right to amend this Return upon receipt of any relevant materials.

II.

Applicant alleges that he is being held in custody unlawfully for the following reasons:

1. Ineffective Assistance of Counsel

III.

In a post-conviction relief action, the Applicant bears the burden of proving the allegations in their 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, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (1984); Butler, 334 S.E.2d 813.

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 80 L.Ed.2d 674. The Applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

The reviewing court applies a two-pronged test in evaluating allegations of ineffective assistance of counsel. First, the applicant must prove that counsel's performance was deficient. Under this prong, the court measures an attorney's performance by its "reasonableness under professional norms." Cherry, 300 S.C. at 117, 386 S.E.2d at 625, citing Strickland. Second, counsel's deficient performance must have prejudiced the 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.

With respect to guilty plea counsel, the Applicant must show that there is a reasonable probability that, but for counsel's alleged errors, he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 106 S.Ct. 366, 88 L.Ed. 2d 203 (1985).

Respondent submits that Applicant cannot satisfy either requirement of the Strickland test. However, the allegation of ineffective assistance of counsel probably raises questions of fact that the record does not conclusively refute. Accordingly, Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. 264, 305 S.E.2d 247 (1983).

IV.

The State therefore requests that this Court convene an evidentiary hearing solely on the issue of ineffective assistance of counsel. As to all other allegations, the State moves for summary dismissal pursuant to S.C. Code Ann. § 17-27-70 on the basis that there is no genuine issue of material fact which would necessitate an evidentiary hearing and that those allegations should be dismissed as a matter of law.

V.

Each and every allegation contained within the application not hereinbefore either expressly admitted, qualified or explained is hereby denied.

VI.

WHEREFORE, having made its Return, the State requests that the Application be denied and the matter dismissed with prejudice.


Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

TYSON ANDREW JOHNSON, SR.
Assistant Attorney General

By: 

ATTORNEYS FOR RESPONDENT

Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
Telephone: (803) 734-3737

11/29, 2012.

Heather M. Cannon, LLC

PCR

Attorney At Law
Certified Mediator
1421 Third Avenue
Conway, South Carolina 29526
E-mail: cannonhm@hotmail.com
Telephone: (843) 488-2426 - Facsimile: (843) 488-2428

January 31, 2014

The Supreme Court
Post Office Box 11330
Columbia, SC 29211

Re: Barbara Chavis Wright, #350454 vs. State of South Carolina
Case No.: 2012-CP-26-6940

To whom it may concern,

Enclosed you will find the Notice of Appeal in the above PCR case, which I hereby serve upon you by Proof of Service. I am filing this Notice on behalf of my client to protect her interests. I was appointed in this matter by Order of Clerk of Court. My client is currently incarcerated and is indigent. By copy of these documents, I am requesting that the Office of Appellate Defense handle this Appeal for Ms. Wright.

Also enclosed are the following:

1. Notice of Appeal
2. Proof of Service of the Notice of Appeal to Attorney General
3. Proof of Service of Notice of Appeal to the Supreme Court
4. A copy of the Order which is to be challenged on appeal
5. A copy of the PCR application
6. A copy of the State's Return

Should you have any questions, please feel free to contact me.

With kind regards, I am

Sincerely,
Heather M. Cannon, LLC

RECEIVED

FEB 03 2014

S.C. SUPREME COURT



Clint Guyton
For Heather M. Cannon

Enclosures

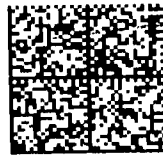
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