

LAW OFFICE OF



**TARA DAWN SHURLING, PA**

Attorney and Counselor at Law

3614 Landmark Drive

Suite A

Columbia, South Carolina 29204

(803) 738-8622

(Fax) (803) 738-1600

E-Mail: [tdslaw@shurlinglaw.com](mailto:tdslaw@shurlinglaw.com)

February 11, 2014

VIA HAND-DELIVERY

The Honorable Jeanette W. McBride  
Clerk of Court, Richland County  
P.O. Box 2766  
Columbia, SC 29202-2766

RE: Daydrian Rouse v. State of South Carolina; 2011-CP-40-01921.  
Now Appellate Case No. 2013-001269

Dear Ms. McBride:

Please find enclosed the Order Permitting Filing of a Replacement Applicant's Exhibit #4, Applicant's Exhibit #4, and my Certificate of Service for filing in the above captioned Post-Conviction Relief action. At the conclusion of the September 10, 2012 PCR hearing I introduced a copy of the discovery materials in this case as an Applicant's Exhibit. That material was inadvertently not marked as an Exhibit and is not indexed in the PCR Hearing Transcript. As you can see by the enclosed Order, this Court has granted me leave to file the replacement set of the discovery materials provided by the Fifth Circuit Solicitor's Office with the Clerk of Court's Office as Plaintiff's Exhibit No. 4. I am not serving opposing counsel a copy of the Exhibit at this time, as it will be included in the Appendix when the Appendix is filed and served on opposing counsel during the appeal in this case.

I would appreciate your staff clocking and returning the extra copy of the Order, the Certificate of Service and the first page of the Exhibit to my courier. Because the Exhibit is so voluminous I have provided only the first page to be clocked and returned. Thank you for your assistance, I am,

**RECEIVED**

FEB 18 2014

**S.C. SUPREME COURT**

Sincerely,

A handwritten signature in cursive script that reads "Tara Dawn Shurling".

Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sm  
Enclosures

cc: The Honorable Daniel E. Shearouse, Clerk of the Supreme Court of South Carolina (w/enclosure)  
Megan Harrigan, Assistant Attorney General (w/enclosure)

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

IN THE COURT OF COMMON PLEAS

DAYDRIAN J. ROUSE, )  
 )  
Applicant, )  
 )  
v. )  
 )  
THE STATE OF SOUTH CAROLINA, )  
 )  
Respondent. )  
\_\_\_\_\_ )

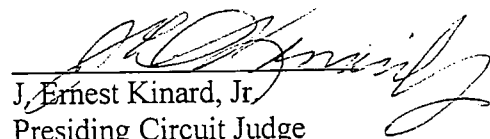
2011-CP-40-01921

**ORDER  
PERMITTING FILING OF A  
REPLACEMENT APPLICANT'S  
EXHIBIT #4**

THIS MATTER comes before the Court by way of an Application for Post-Conviction Relief filed on March 22, 2011. The State filed its Return on September 21, 2011. An evidentiary hearing was convened before this Court on September 10, 2012, during which the Applicant was present and represented by Tara Dawn Shurling, Esquire and the State was represented by Assistant Attorney General, Robert D. Corney.

At the conclusion of this PCR proceeding the Applicant's PCR Counsel introduced a copy of all the discovery materials (including the MAIT Reports) in this case as an Applicant's Exhibit. That material was inadvertently not marked as an Exhibit and is not indexed in the PCR Hearing Transcript. Inasmuch as the parties agree that the discovery package was introduced by the Applicant during his evidentiary hearing, this Court has granted PCR Counsel leave to file the replacement set of the discovery materials provided by the Fifth Circuit Solicitor's Office with the Clerk of Court's Office as Plaintiff's Exhibit No. 4.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
J. Ernest Kinard, Jr.  
Presiding Circuit Judge  
Court of Common Pleas

This <sup>7<sup>th</sup></sup> day of Feb, 2014

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )  
 )

IN THE COURT OF COMMON PLEAS

DAYDRIAN J. ROUSE, )  
 )  
Applicant, )

2011-CP-40-01921

v. )

CERTIFICATE OF SERVICE

THE STATE OF SOUTH CAROLINA, )  
 )  
Respondent. )  
\_\_\_\_\_ )

The undersigned hereby certifies that a true copy of the Order Permitting Filing of a Replacement Applicant's Exhibit #4 in the above matter has been served on opposing counsel this the 11<sup>th</sup> day of February, 2014, by mailing one (1) copy in a stamped envelope properly addressed to:

Megan Harrigan  
Assistant Attorney General  
Office of the Attorney General  
P. O. Box 11549  
Columbia, SC 29211

The original having been sent to the Richland County Clerk of Court for filing.

Sharon McCollister  
Sharon McCollister  
Paralegal to:  
Tara Dawn Shurling  
Attorney for Applicant

SWORN TO BEFORE ME this 11<sup>th</sup> day of  
February, 2014.

**RECEIVED**

FEB 18 2014

Dunamine Graham (L.S.)  
Notary Public for South Carolina

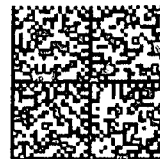
S.C. SUPREME COURT


My Commission Expires: 2/28/2024



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**Tara Dawn Shurling, P.A.**  
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3614 Landmark Dr., Suite A  
Columbia, South Carolina 29204

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The Honorable Daniel E. Shearouse  
Clerk of Court, South Carolina Supreme Court  
Post Office Box 11330  
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