STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Florence County
William H. Seals, Jr., Circuit Court Judge

DARRELL N. MITCHELL,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2013-000929

JOHNSON PETITION FOR WRIT OF CERTIORARI

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South Carolina Commission on Indigent Defense
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ISSUE PRESENTED

Whether the PCR court erred in finding that trial counsel provided effective assistance of counsel where trial counsel failed to preserve for appellate review an objection to the Trial Court's refusal to charge mere presence at the scene of the crime unless trial counsel agreed to the jury also being charged "the hand of one is the hand of all," since a mere presence charge was required given the evidence?

STATEMENT

Indictment

On August 2, 2007, Petitioner Darrell Nathanial Mitchell was indicted by the Florence County Grand Jury for one count of murder. App. 425-426.

Trial and Verdict

On September 8-10, 2008, Petitioner was tried before the Honorable J. Ernest Kinard, Jr. and a jury. Petitioner was represented by R. Scott Joye, and the State was represented by Deputy Solicitor Francis A. Humphries, Jr. App. 14. Prior to jury selection, Petitioner initially began to plead guilty to voluntary manslaughter pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), but decided to proceed with a trial by jury instead. App. 18, l. 12 – 24, l. 19.

The jury initially returned a guilty verdict. App. 272, ll. 5-11. During polling of the jury, one juror indicated that this was not his verdict, and Judge Kinard ordered the jury to continue deliberations. App. 273, ll. 3-9. The jury later returned, again finding Petitioner guilty of murder. App. 275, ll. 7-12. Judge Kinard sentenced Petitioner to thirty years imprisonment. App. 294, ll. 12-13.

Direct Appeal

Petitioner appealed to the South Carolina Court of Appeals and was represented by Chief Appellate Defender Robert M. Dudek. Petitioner argued that the Trial Court erred in refusing to issue a mere presence jury charge without also charging the hand of one is the hand of all. The Court of Appeals affirmed Petitioner's conviction, holding the issue raised was conceded at trial. App. 286-287.

PCR Application and Evidentiary Hearing

Petitioner filed an application for post-conviction relief ("PCR") on September 1, 2011. App. 288-293. The State filed its Return on December 14, 2011. App. 294-298. Petitioner subsequently filed an amendment to the application and brief in support thereof. App. 299-341.

An evidentiary hearing was held before the Honorable William H. Seals, Jr. on February 27, 2013. App. 342-415. Petitioner was represented by Samuel T. Brunson, and the State was represented by Assistant Attorney General Tyson Andrew Johnson. App. 342. Both Petitioner and his trial counsel testified at the hearing. App. 347-414.

Order of Dismissal

Judge Seals issued his Order of Dismissal on March 2, 2013 denying Petitioner's PCR application. App. 416-422. This Petition for Writ of Certiorari follows.

STATEMENT OF FACTS

Relevant facts from trial

Deputy Solicitor Fran Humphries told the jury in his opening statement that the State's theory of the case was that Petitioner, who lived with his elderly mother and father, purchased crack cocaine from his drug dealer at about ten o'clock on the fatal evening. App. 77, l. 13- 79, l. 24. The Deputy Solicitor maintained that Petitioner could only pay the drug dealer twenty-seven of the thirty dollars that he owed her for that rock of crack cocaine. App. 79, l. 25- 80, l. 10.

The Deputy Solicitor said the drug dealer would testify that Petitioner called the drug dealer again at two a.m. and wanted a fifty dollar rock of crack cocaine. The Deputy Solicitor said the drug dealer told Petitioner "I'm not bringing you anymore drugs" because he did not have enough money for the other crack. The Deputy Solicitor stated the drug dealer would testify that Petitioner said he now had the money for the drugs and he also asked the drug dealer to "bring me a pack of cigarettes and a lighter." App. 80, ll. 11- 24. The State's theory of the case was that Petitioner killed his elderly father -- Petitioner was sixty years old himself -- between the first and second drug purchase. App. 81, ll. 4-18.

Gwendolyn McKnight was a hospice community care worker who took care of Petitioner's mother part time at the house shared by Petitioner and his father. App. 85, l. 9- 86, l. 21. McKnight testified that on the morning of May 17, 2007, she was running late from an earlier appointment so she telephoned Petitioner's house. An unknown female answered the telephone -- it was not Petitioner's mother who was bedridden -- and this woman said she understood McKnight would be late. App. 86, l. 22- 99, l. 7. McKnight

said that if whoever answered the telephone was impersonating a female, they did a good job at disguising their voice. App. 86, ll. 5-7.

When McKnight arrived at the house she found the side door open and she went inside. McKnight recalled that Petitioner said, "Gwen, I'm going to let dad know that you're here, like he normally did." App. 90, l. 22- 91, l. 16.

McKnight remembered Petitioner knocked on his father's bedroom door but he did not get an answer. He then "was calling his dad [through] several rooms." App. 91, ll. 6-23.

McKnight then began looking for Petitioner's father with him. They went out to the carport: " We went out - - I think Darrell went out a little in front of me, Darrell Mitchell, and I was right behind him. Then he looked to the side in front of his car, and there was the body." App. 92, ll. 7-21. McKnight remembered the decedent's body "was stiff" and that Petitioner "broke down and he started crying and [he] came back in the house and started making some phone calls." App. 93, ll.2-8. McKnight said she found Petitioner's mother had not been dressed for bed from the night before, and that her adult diaper had not been changed. McKnight concluded that something therefore must have happened to Petitioner's father prior to their bed time since the father always cared for his wife. App. 93, l. 2- 96, l. 23.

McKnight confirmed that Petitioner called 911 after the decedent's body was discovered. She also said it was clear that Petitioner very much loved his mother. App. 97, l. 6- 98, l. 5.

Christopher Moreau was with the Florence police department crime scene unit. App. 106, ll. 11-14. Moreau said he spotted "obvious drag marks in the concrete," in the driveway. He consequently concluded the decedent's body had been dragged to the car.

App. 114, ll. 19-25. Moreau said he also saw blood inside the house, and he maintained that the house had been "cleaned up" after the homicide. Someone, Moreau said, had attempted to remove all of the blood from the floor. App. 129, l. 2- 131, l. 15.

Moreau found a damp mop behind the door of a storage area that had a pinkish stain on some of the fibers. App. 124, l. 8 – 125, l. 6. The decedent's blood was not found on this mop. App. 127, ll. 5-7. DNA for Petitioner, however, was found on the mop. App. 139, ll. 7-23. M. John Ortuno, a forensic DNA analyst with the South Carolina Law Enforcement Division ("SLED"), testified that DNA material from the mop was compared to profiles stored in the State's Combined DNA Index System database ("CODIS"), and the profile developed from the material found on the mop matched the profile of Petitioner which was stored in the CODIS database App. 152, ll. 9-13; 163, ll. 1 – 165, l. 19; 166, l. 22 – 167, l. 3. The material from the mop was examined in August 2008, more than a year after the murder of David Mitchell. App. 168, l. 19 – 169, l. 7.

During cross-examination, Corporal Moreau admitted that Petitioner's clothes did not have any blood on them, and that there was no physical evidence linking Petitioner to the crime. The knife used to stab the decedent eight times also could not be located. Further, the crime scene was apparently not secured as nine people had walked through the house before Moreau ever arrived. App. 140, l. 2- 143, l. 23. Moreau admitted that zero physical evidence pointed to Petitioner. App. 144, ll. 21-23.

Adrianne White was Petitioner's sister. She was one of four children. She testified her father was seventy-nine-years-old at the time he died. App. 172, l. 16- 173, l. 8. White said her mother had Alzheimer's disease for about thirteen years, and that she was totally

dependent on others to care for her. "My father was the primary care giver." App. 173, l. 21-174, l. 5.

White recalled that Petitioner was very upset after he "found Dad out in the yard and there was blood." App. 177, ll. 1-18.

The State's key witness was long time felon Ramona Matthews. The judge told the jury: "Ms. Matthews does not have on orange because she plays for the Tigers, alright? Just take a wild guess and say she has a prior criminal record that will be brought out, I think." App. 189, ll. 1-18. Matthews was incarcerated for assault and battery of a high and aggravated nature that had been pled down from assault and battery with intent to kill. App. 190, l. 4-192, l. 5. Matthews also had a long criminal record involving drugs. App. 190, l. 18-191, l. 14.

Matthews maintained that she was just a small time drug dealer and user. She said Petitioner telephoned her late on the evening of May 16, 2007 and "asked me to bring him some crack." Matthews said that she sold Petitioner thirty dollars worth of crack that evening at about ten p.m. but he only had twenty-seven dollars at the time. Since Matthews was Petitioner's long time dealer, she maintained she overlooked the shortage. App. 192, l.2-194, l. 8.

Matthews said Petitioner called her again at one thirty in the morning. This time he wanted to buy a fifty dollar rock of crack cocaine. Matthews stated that she asked him "Are you sure you got fifty dollars?" Matthews maintained that Petitioner told her he not only had fifty dollars but he also wanted her to bring him a pack of cigarettes and a lighter. App. 194, l. 22 – 195, l. 7.

Matthews testified that she complied and she went to Petitioner's house and sold him the rock of crack cocaine, the cigarettes, and the lighter. App. 194, l. 9- 195, l. 11. The State attempted to make much out of the fact that Petitioner came to the front door when Matthews made the second drug sale instead of out of the side door beside the carport like he did for the first drug sale. App. 194, ll. 9-15; 195, ll. 19-20; 237, l. 20-238, l. 3; 242, l. 14 – 243, l. 2. It was far from clear whether this was in fact abnormal. In fact, Matthews said Petitioner acted completely normal when she made him the second drug deal at about two o'clock that morning. App. 195, l. 8- 199, l. 24.

Petitioner and the State stipulated that Petitioner gave a statement to the police in which he acknowledged he smoked crack "on two occasions on the evening of the sixteenth." He made purchases from Matthews at about nine-thirty in the evening and then at about two-thirty in the morning. App. 207, l. 19 – 208, l. 6.

Dr. Schandl, the pathologist, testified the decedent had been stabbed eight times, once in the heart, and that he had defensive wounds. App. 217, l. 15 – 222, l. 11. On cross-examination, Dr. Schandl said the decedent was five foot six inches tall and he weighed one hundred and eighty pounds. App. 224, l. 23 – 225, l. 4. In his closing argument, Petitioner's trial counsel asked Petitioner to stand before the jury, and he inquired of the jury how Petitioner possibly could have dragged his father's body out to the car. App. 251, ll. 7-17.

Request to charge

There was a discussion of a mere presence charge. Petitioner's trial counsel stated that he wanted a mere presence charge. However, he did not want an instruction on the "hand of one is the hand of all." He stated, "But if it is tit for tat, I would rather have neither." App. 231, ll. 10-13.

The Deputy Solicitor then claimed the charges -- mere presence and "hand of one hand of all" are "typically juxtaposed that way. So that is my position." The trial judge sided with the Deputy Solicitor and ruled Petitioner could not have a "mere presence" instruction without the "hand of one is the hand of all" instruction. Petitioner's trial counsel then stated if the trial judge was going to force him to accept an instruction on "the hand of one is the hand of all" to get a mere presence instruction "I don't believe I want it, judge." App. 230, l. 7- 232, l. 6. Petitioner's counsel interposed no objection to the trial judge's ruling that the two charges – mere presence and "hand of one, hand of all" – were required to be given together.

Court of Appeals' Opinion

Petitioner appealed his conviction to the South Carolina Court of Appeals and raised the issue of whether the Trial Court erred in refusing to issue a mere presence jury instruction without also charging the hand of one is the hand of all. The Court of Appeals affirmed Petitioner's conviction, holding that the issue was conceded at trial. App. 286-287.

Relevant Facts from PCR Evidentiary Hearing

At the PCR hearing, Petitioner testified that he would be sixty-four years old in ten days. He had been in the U.S. Navy and worked for Seaboard Coastline for nine and a half years. In 2005 or 2006, Petitioner moved back to Florence, South Carolina to live with his elderly parents and to care for his mother who had Alzheimer's disease. App. 347, l. 16 – 348, l. 18. Petitioner took a certified nursing assistant course in order to learn how to care for patients like his mother. App. 348, l. 20 – 349, l. 2.

Petitioner was also on disability when he moved back to Florence. He had undergone reconstructive knee surgery and also had hypertension, sleep apnea, type two diabetes, and a nerve problem. App. 349, ll. 17-22. Petitioner had also been suffering health problems back in 2007 when his father was murdered. He was taking seven medications back in 2007. App. 351, ll. 7 – 15.

Petitioner testified he was arrested two days after his father's murder. App. 351, ll. 13 – 20. His trial counsel was appointed to represent him three to five days later before the bond hearing. App. 351, ll. 21-24. Petitioner was denied bond. App. 353, l. 18. He said that his trial counsel never applied for a bond on his behalf. App. 358, ll. 20-25.

Petitioner's trial was held in September 2008, about fifteen to sixteen months after his bond hearing. Petitioner testified he met with his trial counsel approximately six times prior to trial. App. 354, ll. 1 – 7. Petitioner said he also met with his trial counsel's investigator once. App. 355, ll. 10-12. He gave the investigator names of potential persons to speak with about the incident. App. 355, ll. 13 – 25.

Petitioner had concerns about his trial counsel's representation of him. He testified that once he met with the solicitor without his trial counsel in the room where the solicitor offered him a plea deal. App. 356, l. 11 – 357, l. 8. Petitioner wrote the South Carolina Supreme Court voicing his concerns with his trial counsel's representation. App. 357, ll. 9-12. Because of his concerns about his trial counsel, Petitioner moved to relieve his counsel prior to the start of his trial, but Petitioner declined to obtain a new attorney because the trial judge told him it would be a couple more years before he could be tried. App. 358, ll. 12-18.

Petitioner further testified that he asked his trial counsel to interview the housekeeper Pat to see if she had mopped up the bathroom the day before the murder and perhaps mopped up urine from Petitioner which would have then explained why Petitioner's DNA ended up on the mop. App. 359, l. 5 – 361, l. 12. Petitioner only knew the housekeeper's first name, but he knew that she came from the same senior citizen's group as Gwendolyn McKnight, the hospice worker who took care of Petitioner's elderly and ill mother. App. 360, l. 2 – 361, l. 16.

Petitioner testified that he did not take the stand at trial because his trial counsel advised him not to do so due to some previous forgery charges. App. 361, l. 24 – 362, l. 25. Petitioner also wished that his trial counsel would have brought in a witness to describe the bad health of Petitioner at the time of the murder, but his trial counsel never discussed that with him. App. 365, ll. 9-13.

Petitioner had also initially decided to enter an Alford plea to voluntary manslaughter. He had learned after his father's murder that his father was not his biological father, and he was initially afraid that this information would come out at trial. He did not want to damage his mother's reputation. App. 365, l. 18 – 366, l. 19.

Petitioner testified that the jury selection pool was still seated when the trial judge told the jury that Petitioner had decided to plead guilty. Petitioner testified this same jury pool which heard that he had decided to plea was the same jury pool used in his murder trial after he decided not to go through with his plea. App. 367, ll. 1-7.

Petitioner further testified that his trial counsel did not object to the trial judge's ruling that the mere presence charge and the hand of one, hand of all charge had to be charged together and could not be separated. App. 372, l. 22 – 373, l. 12.

Finally, Petitioner wanted his trial counsel to re-check the hit of his DNA on the mop because Petitioner's DNA should not have been in the State's CODIS database. Petitioner testified that his DNA had never been taken even though he had prior convictions for forgery in 2006. App. 362, ll. 11-7; 376, l. 18-377, l. 6. Petitioner said that while he was incarcerated and awaiting trial for the murder charge, he received medical treatment in June or July 2008 during which a nurse drew his blood. It was shortly after this that he learned of the positive hit of his DNA on the mop. App. 382, l. 14 – 383, l. 4.

Petitioner's trial counsel testified that he was appointed to represent Petitioner. App. 385, ll. 10-24. According to trial counsel, he met with Petitioner approximately ten times before trial. App. 407, ll. 7 – 15. The day before trial, he visited the Mitchell home where the crime occurred. App. 389, ll. He had also hired an investigator in an attempt to locate some witnesses, but he did not have any luck finding anyone with additional information. App. 390, l. 12 – 391, l. 25.

Trial counsel further testified that he would have applied for a bond for Petitioner, but none of Petitioner's family members were willing to put up the bond. App. 391, l. 13 – 392, l. 3. He also said that he never left Petitioner alone in a room with the solicitor. App. 408, ll. 16-21.

With respect to whether the jury that tried Petitioner had heard about Petitioner's initial willingness to plead guilty, trial counsel testified that he was positive those jurors were not present during Petitioner's guilty plea. App. 407, ll. 21 – 23. Trial counsel said that the jury pool had already been dismissed. That same day, Judge Nettles was also having a jury selected in a murder case he was trying. For the Alford plea, they switched

courtrooms for some reason, and therefore it was Judge Nettles' jury that heard about the plea, not the jury that would ultimately try Petitioner. App. 393, l. 23 – 394, l. 22.

Trial counsel did not recall Petitioner advising him to contact the housekeeper. App. 396, l. 14 – 398, l. 4. Trial counsel additionally testified that he did not see any benefit in bringing in a medical witness to testify about Petitioner's health problems. He was concerned about losing the last closing argument if he brought in such a witness. App. 400, l. 9 – 401, l. 11.

Trial counsel testified that he learned about the positive hit of Petitioner's DNA on the mop just shortly before trial. He said the DNA had been run through the central registry which included individuals who had been incarcerated in the past with the Department of Corrections and the DNA matched Petitioner's profile. App. 409, l. 11 – 410, l. 14.

Order of Dismissal

Judge Seals found that trial counsel's performance was not deficient and that as such, Petitioner failed to prove ineffective assistance of counsel. App. 421. Judge Seals essentially disregarded all of Petitioner's PCR testimony and found that trial counsel's "preparation and actions were reasonable under prevailing professional norms . . . ." Id.

ARGUMENT

The PCR court erred in finding that trial counsel provided effective assistance of counsel where trial counsel failed to preserve for appellate review an objection to the Trial Court's refusal to charge mere presence at the scene of the crime unless trial counsel agreed to the jury also being charged "the hand of one is the hand of all," since a mere presence charge was required given the evidence.

Petitioner's trial counsel erred in failing to object to the Trial Court's refusal to issue a mere presence jury charge without also charging the hand of one is the hand of all where the evidence supported a mere presence charge.[1] By failing to object to this ruling, trial counsel failed to preserve this meritorious issue for appellate review.

To establish ineffective assistance of counsel, Petitioner must satisfy the two-prong test set forth in Strickland v. Washington, 466 U.S. 668 (1984). "First, a defendant must show that counsel's performance was deficient. Under this prong, [t]he proper measure of attorney performance remains simply reasonableness under prevailing professional norms." Cherry v. State, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989) (internal citations omitted). "The second prong of the Strickland test requires a showing that the deficient performance prejudiced the defendant to the extent that there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different. The defendant is required to overcome the presumption that counsel was effective in order to receive relief." Id. at 117-18, 386 S.E.2d at 625 (internal citations omitted).

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1 Petitioner raised this issue in his amended PCR application and at the evidentiary hearing. App. 304-305; 310-312; 372, l. 22 – 373, l. 20. The PCR court's Order of Dismissal, however, did not address this ground for relief. Petitioner's PCR counsel did not file a motion to alter or amend the judgment pursuant to Rule 59(e), SCRCP. Given that Petitioner raised this issue to the PCR court, he nevertheless requests this Court to review the issue.

Deficient Performance and Prejudice

There was strong evidence at trial that Petitioner was at the house when his father was killed. There was also evidence Petitioner was high on crack cocaine around the time his father was probably murdered. App. 207, l. 19 – 208, l. 6.

A mere presence instruction explains that the prosecution has to prove every element of the crime and that mere presence at the crime scene is not enough to sustain a conviction. State v. Mattison, 380 S.C. 326, 334-36, 669 S.E.2d 635, 639-40 (Ct. App. 2008), *aff'd*, 388 S.C. 469, 697 S.E.2d 578 (2010); see also State v. Kelsey, 331 S.C. 50, 77, 502 S.E.2d 63, 76 (1998). Further, the trial judge is required to charge the current and correct law of South Carolina. State v. Mattison, 388 S.C. 469, 478, 697 S.E.2d 578, 583 (2010).

While an instruction on mere presence is often applicable in true cases of accomplice liability or constructive possession of contraband, there was absolutely no evidence of two or more people participating in the murder or robbery of the decedent *in this case*. See State v. Dennis, 321 S.C. 413, 420, 468 S.E.2d 674, 678 (Ct .App. 1996). Therefore, the Trial Court erred by reasoning -- as urged by the solicitor -- that an accomplice liability charge went hand in hand with a "hand of one is the hand of all" instruction. They do not *in every case*, and the judge had a duty to fashion his instruction to the facts *of this case*. State v. Fuller, 297 S.C. 440, 377 S.E.2d 328 (1989).

The failure to charge mere presence where it is called for by the evidence is reversible error. See State v. Kimbrell, 294 S.C. 51, 362 S.E.2d 630 (1987). Since there was no evidence Petitioner may have been a participant in his father's murder with another person, the failure to charge that his mere presence at the scene was insufficient to convict

him -- where there was strong evidence he was at the scene -- was reversible error. Cf. State v. Franklin, 299 S.C. 133, 382 S.E.2d 911 (1989).

The State's theory of the case was that Petitioner was alone with his decedent father and his bedridden mother when the murder was committed. Petitioner at some point could have fallen asleep or "passed out" from his drug use.

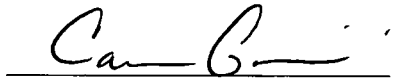
Moreover, the State never alleged that Petitioner may have participated in the crime with another person. Consequently, the Trial Court, in forcing Petitioner to accept an accomplice liability instruction --"the hand of one is the hand of all" -- in order to get an instruction on "mere presence" that he was entitled to anyway, made a fundamentally unfair and reversible error.

The Court of Appeals, however, would not review this error by the Trial Court, finding the issue was conceded at trial and could not be argued on appeal. App. 286-287. Had trial counsel properly objected to the Trial Court's refusal to give a mere presence charge, the error would have been reviewed and reversed on appeal. Therefore, where Petitioner's counsel was deficient in preserving this error for appeal, Petitioner is entitled to a new trial.

CONCLUSION

For the reasons set forth herein, Petitioner Darrell N. Mitchell requests this Court to grant his Petition for Writ of Certiorari with the ultimate relief of a new trial.

Respectfully submitted,



Carmen V. Ganjehsani
Appellate Defender

ATTORNEY FOR PETITIONER

This 20th day of March, 2014.

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO FLORENCE COUNTY
WILLIAM H. SEALS, JR., CIRCUIT COURT JUDGE

DARRELL N. MITCHELL,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2013-000929

PETITION TO BE RELIEVED AS COUNSEL

Counsel for Darrell N. Mitchell states:

1. She is an Appellate Defender for the South Carolina Office of Appellate Defense and was appointed to represent petitioner.

2. She has reviewed the records and transcript of petitioner's post-conviction relief hearing which was held on February 27, 2013. In her opinion seeking certiorari from the order of dismissal is without merit.

3. She has, pursuant to Johnson v. State, 294 S.C. 310, 364 S.E.2d 201 (1988), briefed the one arguable legal issue which arose during the post-conviction relief process.

Therefore, counsel requests that the Court relieve her as counsel for Darrell N. Mitchell.

Respectfully submitted,

Carmen V. Ganjehsani
Appellate Defender
ATTORNEY FOR PETITIONER

This 20th day of March, 2014

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Florence County
William H. Seals, Jr., Circuit Court Judge

DARRELL N. MITCHELL,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

I certify that a true copy of the Johnson petition for writ of certiorari and a copy of the appendix in this case have been served on Joshua L. Thomas, Esquire and Darrell N. Mitchell, #192228, at Lee Correctional Institution, 990 Wisacky Highway, Bishopville, SC 29010, this 20th day of March, 2014.

C — C —

Carmen V. Ganjehsani
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 20th day
of March, 2014.

Hart Mitchell (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.