

STATE OF SOUTH CAROLINA)
 COUNTY OF HORRY)
 Dupree Evans, #322078,)
 Applicant,)
 v.)
 State of South Carolina,)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FOR THE FIFTEENTH JUDICIAL CIRCUIT

Case No. 2010-CP-26-8638

SCHEDULING ORDER

FILED
 HORRY COUNTY
 2014 JUN 25 PM 2:22
 MELANIE HUGGINS-WARD
 CLERK OF COURT

This matter came before the Court for a scheduling conference on June 19, 2014, pursuant to Respondent's Rule 16(e), SCRCP, motion. Applicant appeared *pro se*, and Joshua L. Thomas, of the South Carolina Attorney General's Office, appeared on behalf of Respondent. After hearing the arguments of both parties, the Court finds as follows:

I. Date Certain

Respondent requested this matter be set for a date certain during the August 25, 2014, term for post-conviction relief cases. Considering the age of this case, and the need for Applicant to have advanced notice of the date of the hearing, the Court finds Respondent's motion should be granted. Therefore, this matter is set for a date certain on August 25, 2014. The evidentiary hearing shall be set to begin at 10:00am, and shall be the only matter to be brought before the court on that date. No further continuance should be granted in this case ~~without a showing of good cause.~~ ^{except by order of the Chief Administrative Judge.} (BHC)

II. Subpoenas

Respondent also requested the Court prohibit Applicant from issuing certain subpoenas. The Court finds Applicant shall be entitled to issue subpoenas to compel the appearance of the following persons at the evidentiary hearing:

1. Paul Sheets
2. Dale Long
3. Orrie E. West, Esquire
4. Wanda H. Carter, Esquire

ATTORNEY GENERAL'S OFFICE

RECEIVED 6-3-24

ADMINISTRATIVE INSTRUCTIONS

FILE OPEN END

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ORDER: TRANSCRIPT

PEN RECORDS CLERK RECORDS

OTHER *Person*

2-5-24

2/3/24

5. Roderick Green
6. Martha Thompson
7. Joey Sinclare
8. Bradley Vitale
9. Demetrious Holloway
10. David Reist
11. Mike Bordner
12. Heather S. von Herrmann, Esquire
13. Lavina Jackson
14. Illa Simmons

Applicant shall be allowed to issue subpoenas to only those persons listed above. The Court finds Applicant shall not be permitted, under any circumstance, to issues subpoenas of any sort to the following persons:

1. The Honorable Melanie Huggins-Ward
2. R.J. Warner
3. The Honorable Steven H. John

Pursuant to Rule 45(a)(3), upon request of Applicant, the Horry County Clerk of Court shall issue him a sufficient number of subpoenas, "signed but otherwise in blank." However, Applicant is solely responsible for the proper service of said subpoenas. Applicant's failure to properly subpoena his witnesses does not constitute good cause to continue the hearing past the August 25, 2014, date certain.

IT IS THEREFORE ORDERED THAT:

1. This matter shall be heard on August 25, 2014, at 10:00am in the Horry County Courthouse, and shall not be continued absent a showing of good cause.
2. Applicant is granted leave to issue subpoenas to compel the appearance of only the fourteen (14) witnesses listed above.

AND IT IS SO ORDERED this 20th day of June, 2014. (note)

The applicant's request for discovery has heretofore been ruled upon by the court.

Benjamin H. Culbertson
 THE HONORABLE BENJAMIN H. CULBERTSON
 Resident Judge
 Fifteenth Judicial Circuit

Georgetown, South Carolina