ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Greenville County
G. Edward Welmaker, Circuit Court Judge

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S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

DONALD MARQUICE ANDERSON,

PETITIONER.

APPELLATE CASE NO. 2014-001968

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# BRIEF OF PETITIONER

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## ISSUES PRESENTED

I. The Court of Appeals erred in affirming the Trial Court's ruling that the police officers had reasonable suspicion of criminal activity to justify stopping Petitioner Anderson where Anderson was stopped simply because: (1) he was located in a high crime area; (2) a search warrant unconnected to him was being executed at a nearby house; (3) he was seen in the cut area between the home being searched and Sullivan Street, an area not covered by the search warrant; and (4) he changed direction and walked away upon seeing the officers.

II. The Court of Appeals erred in affirming the Trial Court's ruling that the police officers had reasonable suspicion to conduct a pat-down search for weapons of Petitioner Anderson where the officers did not articulate any specific facts which led them to believe that Anderson may have been armed or dangerous other than a generalized concern for their own safety.

## STATEMENT OF THE CASE

On May 29, 2012, Petitioner Donald M. Anderson was indicted by the Greenville County Grand Jury for possession with intent to distribute a quantity of cocaine base (crack cocaine) in violation of S.C. CODE ANN. § 44-53-375. R.106

A trial was held before the Honorable G. Edward Welmaker on July 10, 2012. R. 1. Anderson was represented by Stuart Sarratt, and the State was represented by Assistant Solicitor Howard Steinberg. Id. Anderson waived his right to a jury trial, and Judge Welmaker conducted a bench trial. R. 51, l. 1 – 56, l, 2.

On July 10, 2012, Judge Welmaker found Anderson guilty of unlawful possession of less than one gram of crack cocaine. R. 91, ll. 16-24. Judge Welmaker first found that Anderson had willfully violated his probation for a previous offense, extending his probation for two more years. R. 105, ll. 2-6. Judge Welmaker then sentenced Anderson to five years imprisonment for the current possession charge, provided upon the service of ninety days, the balance is to be suspended and Anderson is to be placed on probation for forty months. R. 105, ll. 7-12.

On July 9, 2014, the South Carolina Court of Appeals affirmed Petitioner's conviction in an unpublished opinion. *State v. Anderson*, Opinion No. 2014-UP-282 (S.C. Ct. App. filed July 9, 2014); App. 1-4. Petitioner filed a petition for rehearing with the Court of Appeals on July 24, 2014 which was denied on August 25, 2014. . App. 5-16. Petitioner filed a petition for a writ of certiorari with this Court on September 18, 2014.

On December 11, 2014, this Court granted Petitioner's petition for writ of certiorari to review the Court of Appeals' decision.

## STATEMENT OF FACTS

In the summer of 2011, the City of Greenville Police Department was conducting surveillance of a house on Dobbs Street for drug transaction activity. R. 6, l. 19 – 8, l. 6. Detective Keith Cothran obtained a search warrant for the single family dwelling located on Dobbs Street. R. 110; R. 8, ll. 10-11.

Petitioner Anderson was not connected to the Dobbs Street house or the search warrant in any way. R. 85, l. 23 – 86, l. 11.

On August 4, 2011, the Greenville Police SWAT team executed the search warrant. R. 110; R. 11, ll. 5-8. The execution of the search warrant took place at approximately 7:45 p.m. at dusk before it was dark outside. R. 64, ll. 20-24. In executing the search warrant, the vice and narcotics unit of the Greenville Police Department was to secure and detain any persons located within a path or cut area between Sullivan Street and Dobbs Street. The job of the crime response unit was to assist in controlling any person who attempted to flee from the cut or the house at Dobbs Street. The uniform patrol division was to block off the road and maintain an external perimeter. R. 11, ll. 8-15.

The search warrant, however, did not include any area to be searched other than the house located on Dobbs Street and its curtilage. R. 110; R. 12, l. 13 – 13, l. 17. The search warrant did not include the cut or path area between the residences on Sullivan Street and Dobbs Street. R. 13, l. 18 – 14, l. 25.

On the day the search warrant was executed, Detective Kevin Hyatt was assigned to take control of any person on the cut that leads from Sullivan Street to the house on Dobbs Street. R. 16, ll. 13-15. Detective Hyatt was advised by Detective Cothran that the cut

between Dobbs Street and Sullivan Street was a part of the search warrant, even though it was not. R. 20, l. 24 – 21, l. 4.

In his police report, Detective Hyatt wrote that after his police vehicle stopped at the edge of the cut, he observed Anderson, along with a female, standing about half-way up the cut between Dobbs and Sullivan Street. R. 22, ll. 2-7. While he admitted at the suppression hearing that he only said in his report that Anderson was just standing there and not walking away, he changed his testimony at the hearing to say that Anderson was walking away from Dobbs Street up the cut area and immediately veered right in a quick manner when he saw the police. R. 17, l. 10 – 18, l. 6; 21, l. 19 – 22, l. 12. Detective Hyatt noted that Anderson was not running and that he just changed directions, walking quickly, when he saw police. R. 22, ll. 13-20.

Detective Hyatt testified that when Anderson changed directions, he ran toward Anderson and the female with him with his weapon drawn and ordered them to stop and get on the ground. R. 18, ll. 7-12; 21, ll. 12-13; 22, ll. 21-23. Anderson and the female immediately complied by stopping and getting on the ground. R. 18, ll. 10-12; 21, ll. 14-15. As soon as Anderson was on the ground, Detective Hyatt's colleague, Detective Gary Rhinehart, placed Anderson in handcuffs. R. 21, ll. 16-18; 22, ll. 21-24; R. 26, ll. 7-12.

Detective Hyatt further testified that he did not see anything that looked like a weapon on Anderson. R. 23, ll. 6-10. Nevertheless, Detective Hyatt and Detective Rhinehart then stood Anderson up, and Detective Hyatt patted down Anderson's outer clothing to make sure Anderson had no weapons. R. 18, ll. 14-18; R. 26, ll. 13-18. When Detective Hyatt patted down Anderson's shorts and moved his hand down Anderson's right

pocket, he felt plastic crumbling, multiple hard objects – rock-like objects – in the bag. He testified that based upon his experience, what he felt was crack cocaine. He retrieved the plastic bag which contained eight beige rock-like substances that he determined to be crack cocaine. R. 19, l. 2 – 20, l. 3.

Pre-trial, defense counsel moved to suppress Anderson's possession of the crack cocaine because the crack cocaine was the result of an illegal search in violation of the Fourth Amendment because: (1) there was no reasonable suspicion for the officers to stop Anderson; and (2) there was no reasonable suspicion to conduct a pat-down search of Anderson for weapons. R. 35, l. 10 – 41, l. 16. The State responded that the stop and frisk was justified R. 42, l. 1 – 45, l. 9.

Judge Welmaker denied Anderson's motion to suppress the crack cocaine, finding that there was a legitimate stop under Terry v. Ohio, 392 U.S. 1 (1968) where "under the totality of the circumstances, there were articulable reasons for [the stop] based upon what the officers testified to." R. 46, ll. 17-20. Judge Welmaker also found the stop and frisk was justified for the officer's safety due to the execution of the search warrant nearby. R. 46, l. 20 – 47, l. 12.

During the bench trial, defense counsel renewed his objection to the introduction of the crack cocaine. R. 74, ll. 24-25; 75, l. 23 – 76, l.1. At the close of the State's evidence, defense counsel moved for a directed verdict which Judge Welmaker denied. R. 79, ll. 5-11. Defense counsel renewed his motion for directed verdict following the close of the defendant's case. R. 90, ll. 1-2. Judge Welmaker found Anderson guilty of possession of less than a gram of crack cocaine. R. 91, ll. 16-24.

## STANDARD OF REVIEW

On appeals from a denial of a motion to suppress based on Fourth Amendment grounds, the appellate courts of this State apply a deferential standard of review and will reverse if there is clear error. State v. Tindall, 388 S.C. 518, 521, 698 S.E.2d 203, 205 (2010). This deference, however, does not bar appellate courts from conducting their own review of the record to determine whether the trial judge's decision is supported by the evidence. Id.

## ARGUMENT

The Trial Court erred in refusing to suppress the crack cocaine because it was seized pursuant to an unlawful Terry stop. There are no articulable facts present in this case which show that the police officers had reasonable suspicion of criminal activity by Anderson to justify an investigative stop or that the officers had reasonable suspicion that Anderson was armed to justify a frisk.

The Fourth Amendment, made applicable to the States by way of the Fourteenth Amendment, guarantees "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." U.S. CONST. amend. IV; Mapp v. Ohio, 367 U.S. 643 (1961). The United States Supreme Court has observed time and time again that "searches and seizures 'conducted outside the judicial process, without prior approval by judge or magistrate, are *per se* unreasonable under the Fourth Amendment – subject only to a few specifically established and well delineated exceptions.'" Minnesota v. Dickerson, 508 U.S. 366, 372 (1993) (emphasis in original) (internal citations omitted).

One such exception was recognized by the Court in Terry v. Ohio, 392 U.S. 1 (1968), which held that the "police may stop, and briefly detain, a person for investigative purposes when an officer has reasonable suspicion supported by articulable facts the person is involved in criminal activity." State v. Fowler, 322 S.C. 263, 266, 471 S.E.2d 706, 708 (Ct. App. 1996).

The term "reasonable suspicion" requires a "particularized and objective basis that would lead one to suspect another of criminal activity." State v. Woodruff, 344 S.C. 537, 546, 544 S.E.2d 290, 295 (Ct. App. 2001). The Constitution requires "'a *particularized* and

objective basis for suspecting *the particular person stopped* of criminal activity.'" United States v. Massenburg, 654 F.3d 480, 486 (4th Cir. 2011) (emphasis in original) (internal citations omitted).

The Court in Terry also held that "where a police officer observes unusual conduct which leads him reasonably to conclude in light of his experience that criminal activity may be afoot and that the persons with whom he is dealing may be armed and dangerous, . . . he is entitled for the protection of himself and others in the area to conduct a carefully limited search of the outer clothing of such persons in an attempt to discover weapons which might be used to assault him." 392 U.S. at 30-31.

Before police may then frisk a detained person, they must have a reasonable belief the person is armed and dangerous, and "the officer must be able to specify the particular facts on which he or she based his or her belief the suspect was armed and dangerous." Fowler, 322 S.C. at 267, 471 S.E.2d at 708.

In Terry, the United States Supreme Court recognized that "[t]he officer need not be absolutely certain that the individual is armed; the issue is whether a reasonable prudent man in the circumstances would be warranted in the belief that his safety or that of others was in danger." 392 U.S. at 27. The Court further stated that "in determining whether the officer acted reasonably in such circumstances, due weight must be given, not to his inchoate and unparticularized suspicion or 'hunch,' but to the specific reasonable inferences from which he is entitled to draw from the facts in light of his experience." Id.

**I. The Court of Appeals erred in affirming the Trial Court's ruling that the police officers had reasonable suspicion of criminal activity to justify stopping Petitioner Anderson where Anderson was stopped simply because: (1) he was located in a high crime area; (2) a search warrant unconnected to him was being executed at a nearby house; (3) he was seen in the cut area between the home being searched and Sullivan Street, an area not covered by the search warrant; and (4) he changed direction and walked away upon seeing the officers.**

The police officers in this case had no justification for stopping and detaining Anderson under the stop and frisk exception to the Fourth Amendment set forth in Terry. The State stated at the suppression hearing that four primary facts, taken together, provided the officers the basis for a reasonable suspicion of criminal activity: (1) the high crime neighborhood; (2) the execution of a search warrant of a suspected crack distribution house that was unconnected to Anderson; (3) the fact that Anderson was seen in the cut area between the home being searched and Sullivan Street, an area which was not covered by the search warrant; and (4) that Anderson changed direction and walked away upon seeing police officers. R. 42, l. 11 – 44, l. 18.

In making the determination that the officers had a particularized and objective basis for suspecting the particular person stopped of criminal activity, the courts must consider the totality of the circumstances as they existed at the time of the stop. United States v. Beauchamp, 659 F.3d 560, 569-70 (6th Cir. 2011). This does not, however, prevent a court from discussing each factor one by one as each are put into the mix. United States v. Sprinkle, 106 F.3d 613, 617 (4th Cir. 1997).

First, the fact that the officers spotted Anderson in a high crime neighborhood at dusk before it was dark does not provide independent or freestanding grounds for reasonable suspicion. See id. "Were we to treat the dangerousness of the neighborhood as an

independent corroborating factor, we would be, in effect, holding a suspect accountable for factors wholly outside his control." United States v. Perrin, 45 F.3d 869, 873 (4th Cir. 1995); see also Brown v. Texas, 443 U.S. 47, 52 (1979) ("The fact that appellant was in a neighborhood frequented by drug users, standing alone, is not a basis for concluding that appellant himself was engaged in criminal conduct. In short, the appellant's activity was no different from the activity of other pedestrians in that neighborhood.").

Although being seen in a high crime neighborhood carries no weight standing alone, "'an area's disposition toward criminal activity is an articulable fact' . . . that may be considered along with more particularized factors to support a reasonable suspicion." Sprinkle, 106 F.3d at 617 (internal citations omitted). In this case, there are no other particularized factors to support a reasonable suspicion as discussed further below.

The second and third factors the State pointed to as justifying the officers' stop of Anderson was the execution of a search warrant at a suspected crack distribution house nearby and Anderson's location in a cut area between the home searched and Sullivan Street, an area that was not covered by the search warrant. The United States Supreme Court, however, has recently held that the seizure of a person stopped and detained beyond the immediate vicinity from the premises to be searched is invalid where the only justification for the detention was to ensure the safety and efficacy of the search. Bailey v. United States, 133 S. Ct. 1031 (2013).

That is what the officers did in this case. A perimeter was set up beyond the immediate vicinity of the house to be searched, and officers were to detain individuals in this area even though it was outside of the scope of the search warrant. When the officers

saw Anderson in the cut area, they knew nothing in particular about Anderson except that he was present in the cut area between Dobbs Street and Sullivan Street. Anderson made no gestures indicative of criminal conduct or movements that might have suggested an attempt to conceal contraband.

There was no reason for these officers to have believed that Anderson was committing or about to commit a crime. That Anderson was located in an area that the officers had deemed relevant to the execution of the search warrant is a factor that should be dismissed in determining whether the officers had reasonable suspicion to detain Anderson. See Ybarra v. Illinois, 444 U.S. 85 (1979) (holding that although search warrant gave police officers authority to search premises of public tavern and to search bartender for narcotics, pat-down search and seizure from tavern patron was not constitutionally permissible where there was no reasonable belief that patron was involved in any criminal activity or that patron was armed and dangerous).

The last factor the State points to as suspicious is that Anderson changed direction and walked away upon seeing the officers. Even assuming that Anderson walked away at a quick pace as Detective Hyatt testified, this alone, without more, is not an indication of criminal activity.

Walking away, even hurriedly, from an officer does not create reasonable suspicion. See Beauchamp, 659 F.3d at 570; see also United States v. Camacho, 661 F.3d 718, 726-27 (1st Cir. 2011) (holding that facts fell short of an objectively reasonable, particularized basis for suspecting defendant of criminal activity where "the most that can be said is that the two men were observed in a high crime area walking away from the vicinity of a street fight that

one caller reported as involving Latin Kings"); United States v. Patterson, 340 F.3d 368, 372 (6th Cir. 2003) (stating that walking away from police "constitutes a factor to be outrightly dismissed"); United States v. Davis, 94 F.3d 1465, 1468 (10th Cir. 1996) (finding defendant's actions "in exiting the car, making and then breaking eye contact with the officers, and then walking away from the officers" does not furnish the valid basis for a Terry stop); State v. Pugh, 826 N.W.2d 418, 423-24 (Wis. Ct. App. 2012) (finding crooked manner in which defendant walked away from officer did not give rise to reasonable suspicion of criminal activity necessary for a stop).

"Evasive conduct can, of course, assist an officer in forming reasonable suspicion," but here there was no evasive conduct by Anderson. Sprinkle, 106 F.3d at 618. In cases in which courts have found that walking away from police does contribute to reasonable suspicion, specific facts have shown that the defendant's behavior was otherwise suspicious See United States v. Bumpers, 705 F.3d 168, 175-76 (4th Cir. 2013) (holding officer possessed reasonable suspicion to detain defendant where upon being caught by officer in the act of trespassing, defendant attempted to evade police by leaving premises at a quick pace); United States v. Pearce, 531 F.3d 374, 382-83 (6th Cir. 2008) (finding where officer observed defendant "exit a vehicle, glance towards him, hunch over, place his right hand in the small of his back, and start backing away," officer had a reasonable basis for believing defendant had a weapon and was getting ready to fire); United States v. Caruthers, 458 F.3d 459, 466-67 (6th Cir. 2006) (finding reasonable suspicion when the defendant hurried away from an officer and "hunched down" by a wall as if to conceal contraband or reach for a weapon); State v. Taylor, 401 S.C. 104, 107, 111-13, 736 S.E.2d 663, 664, 667 (2013)

(finding reasonable suspicion where officers observed defendant "huddled up" with another male in what looked like a drug transaction before the two men immediately split up upon seeing the officers).

There is absolutely no evidence in this case that Anderson's behavior was otherwise suspicious. He was merely standing in the cut area with a female friend and turned and walked away upon seeing the police officers. This factor cannot form the basis of a reasonable suspicion on behalf of the officers to stop Anderson.

In its Opinion, the Court of Appeals relied upon State v. Corley, 383 S.C. 232, 679 S.E.2d 187 (Ct. App. 2009), *aff'd as modified*, 392 S.C. 125, 708 S.E.2d 217 (2011) for the proposition that Anderson's location in a cut area sometimes used by drug runners supported the Trial Court's finding that the officers had reasonable suspicion to stop Anderson. In Corley, the officer was conducting surveillance of a known drug residence and observed the defendant approach the residence in his vehicle at 2:50 a.m. The defendant exited his vehicle, walked to the rear of the residence, remained there for less than two minutes, and then returned to his vehicle and left. The officer initiated a traffic stop when the defendant failed to use a turn signal. Id. at 236, 679 S.E.2d at 189. The Court of Appeals held that the officer's observation of defendant walking to the rear of the known drug residence, remaining there for a short period of time, and then promptly returning to his automobile, all which occurred in the early morning hours, supported a finding that the officer had reasonable suspicion to stop and investigate the defendant based on the officer's suspicion of drug activity. Id. at 242-43, 679 S.E.2d at 192-93.

In Corley, the officer actually saw the defendant approach the known drug residence during the early morning hours and remain there for a short period of time – activity apparently consistent with engaging in a drug transaction. In Anderson's case, the officers never saw Anderson approaching or leaving the house where the search warrant was being executed. The officers merely saw Anderson in the dead center of the cut area, which while also allegedly used by drug runners, was also just a shortcut pathway from Dobbs Street to Sullivan Street that anyone in the neighborhood could use. Simply put, this cut area was located in a high crime area, which as explained above, without anything more, is not sufficient to support reasonable suspicion of criminal activity to justify stopping Anderson.

Therefore, the factors provided by the State gain little, if any, strength when put together. Together, they did not give the officers in this case the necessary reasonable, articulable suspicion of criminal activity. The stop of Anderson was not justified, and the motion to suppress the evidence of the crack cocaine should have been granted.

**II. The Court of Appeals erred in affirming the Trial Court's ruling that the police officers had reasonable suspicion to conduct a pat-down search for weapons of Petitioner Anderson where the officers did not articulate any specific facts which led them to believe that Anderson may have been armed or dangerous other than a generalized concern for their own safety.**

Anderson's motion to suppress the crack cocaine should have also been granted because Detective Hyatt lacked a reasonable belief that Anderson was an armed threat as necessary to support a pat-down search.

Under Terry, "a law enforcement officer, for his own protection and safety, may conduct a pat-down to find weapons that he reasonably believes or suspects are then in the possession of the person he has accosted." Ybarra v. Illinois, 444 U.S. 85, 93 (1980). "Nothing in Terry can be understood to allow a generalized cursory search for weapons . . . . The "narrow scope" of the Terry exception does not permit a frisk for weapons on less than reasonable belief or suspicion directed at the person to be frisked . . . ." Id. at 93-94.

Detectives Hyatt and Rhinehart offered no articulable reasons why Anderson needed to be frisked for weapons other than generalized concerns for the safety of themselves. To justify a pat-down search for weapons, an officer needs to articulate specific facts that led him or her to believe that the detained person was armed and dangerous. Terry, 392 U.S. at 21, 27; State v. Fowler, 322 S.C. 263, 267, 471 S.E.2d 706, 708 (Ct. App. 1996). A mere general concern for officer safety is not sufficient. Westmoreland v. State, 965 N.E.2d 163, 167 (Ind. Ct. App. 2012) (finding where defendant did not make any furtive movements and was not hostile or belligerent, officers were not justified based on a general concern for their own safety in patting down defendant); Commonwealth v. Preacher, 827 A.2d 1235, 1239-40 (Pa. Super. Ct. 2003).

The testimony of the officers indicated that Anderson made no movements or gestures indicating he was in possession of a weapon or about to commit an assault or otherwise acted threatening in any way. Instead, Anderson immediately complied with the officer's demands to get on the ground and was thereafter almost instantaneously handcuffed by Detective Rhinehart. Anderson was not wearing bulky clothing which could have concealed a weapon. Rather, he was wearing a shirt and shorts. Detective Hyatt further testified that he did not see anything that looked like a weapon on Anderson. Detective Hyatt only conducted the pat-down out of a general concern for officer safety. R. 17, ll. 19-21; 18, ll. 8-18; 23, ll. 6-10; 26, ll. 13-18 See Ybarra, 444 U.S. at 93 (holding that although search warrant gave officers the authority to search premises of tavern, pat-down of tavern patron was invalid where patron gave no indication or made any gestures suggesting he had a weapon).

The Court of Appeals relied upon State v. Banda, 371 S.C. 245, 639 S.E.2d 36 (2006) for the proposition that when an officer has reasonable suspicion that drugs are present, there is an appropriate level of suspicion of criminal activity to justify a pat-down of an individual. In Banda, this Court found that the police clearly had reasonable suspicion to suspect that drugs were present in the vehicle of which the defendant was a passenger. The police had observed the vehicle leave the residence of a known drug dealer. Additionally, the vehicle displayed stolen Georgia license tags and the police knew from a confidential informant that the target's drug shipments came from Georgia. Even though the police realized that the defendant was not their target, the Supreme Court found that the fact that the activity observed at the target's house

corroborated the informant's statements was enough to give the officers a reasonable suspicion that the defendant was in some way involved with the target's drug activity and that drugs might therefore be in the vehicle. Given the frequent association between drugs and guns, the Supreme Court held that the officer's frisk for weapons was appropriate under Terry. Id. at 253-54, 639 S.E.2d at 40-41.

In Banda, the officers had sufficient information that drugs would likely be found in the vehicle in which the defendant was a passenger and therefore with this information plus the nexus between drugs and guns, the officers had reasonable suspicion that the defendant might have been armed and dangerous. In Anderson's case, he was merely seen by officers in the middle of a cut through path in the neighborhood. The officers never saw him approaching or leaving the house being searched. The officers had no reason to believe that Anderson would have had drugs on his person. Therefore, without any reasonable belief that he had drugs on him, there was no reason for the officers to believe that Anderson was armed and dangerous.

Accordingly, the pat-down search of Anderson was invalid where the officers lacked a reasonable suspicion that Anderson was armed and dangerous. The Trial Court's denial of Anderson's motion to suppress the cocaine evidence should be reversed.

## CONCLUSION

The search of Petitioner Donald Marquice Anderson and seizure of the drug evidence contravened the requirements of the Fourth Amendment. Therefore, evidence of his possession of crack cocaine was inadmissible as fruit of the poisonous tree. Wong Sun v. United States, 371 U.S. 471 (1963). Accordingly, Petitioner requests this Court reverse his conviction for possession of crack cocaine.

Respectfully submitted,

Carmen V. Ganjehsani
Appellate Defender

ATTORNEYS FOR PETITIONER.

This 16th day of December, 2014.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Greenville County
G. Edward Welmaker, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DONALD MARQUICE ANDERSON,

PETITIONER.

APPELLATE CASE NO. 2014-001968

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CERTIFICATE OF SERVICE

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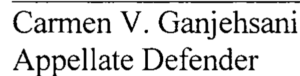
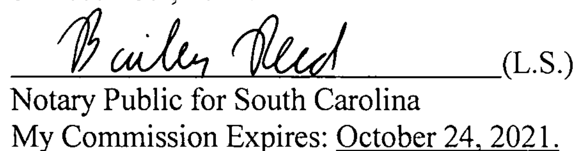
I certify that a true copy of the brief of petitioner, in this case has been served Mary S. Williams, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 2920, this 16th day of December, 2014.



Carmen V. Ganjehsani
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 16th day
of December, 2014.


(L.S.)

Notary Public for South Carolina
My Commission Expires: October 24, 2021.