

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to York County

G. Edward Welmaker, Circuit Court Judge

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S.C. Supreme Court

PHILLIP FLEMING WATTS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-002720

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PETITION FOR WRIT OF CERTIORARI

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## ISSUES PRESENTED

### I.

Whether Petitioner's Sixth Amendment rights were violated when counsel adopted an objectively unreasonable trial strategy relying on the alibi witness testimony of Petitioner's sister, as she was impeached at trial by the State after claiming to have seen Petitioner at his mother's house before she allegedly left for school on the morning of January 21, 2008, when in reality schools were closed in observation of Martin Luther King Day?

### II.

Whether Petitioner's Sixth Amendment rights were violated when counsel failed to seek a mental evaluation of Petitioner prior to trial to determine if he was legally insane at the time of the offense or was competent to stand trial?

## STATEMENT

### Indictment

On May 15, 2008, the York County Grand Jury indicted Petitioner, Phillip Fleming Watts, Jr., on the charges of armed robbery and possession of a firearm during the commission of a violent crime. App. 726 – App. 727.

### Trial and Direct Appeal

On September 22, 2008, Petitioner proceeded to trial before the Honorable John C. Few and a jury. App. 1 – App. 665. Petitioner was represented by John Freeman and the State by Circuit Solicitor Kevin Brackett and Deputy Solicitor Willy Thompson. The jury returned a verdict of guilty on both counts. App. 650, ll. 2-12. Judge Few sentenced Petitioner to thirty years imprisonment for armed robbery and five years for possession of a firearm during the commission of a violent crime. App. 657, ll. 4-13. The sentences were ordered to be served consecutively. *Id.*

On appeal, Petitioner was represented by Appellate Defender M. Celia Robinson. The South Carolina Court of Appeals affirmed Petitioner's convictions and sentences in an unpublished opinion. *State v. Watts*, 2011-UP-421 (S.C. Ct. App. filed September 20, 2011).

### PCR and Evidentiary Hearing

Petitioner filed an application for post-conviction relief on March 19, 2012. App. 666 – App. 673. On July 5, 2012, the State filed a Return. App. 674 – App. 677. On August 12, 2013, an evidentiary hearing was held before the Honorable G. Edward Welmaker. App. 679 – App. 714. Petitioner was represented by Bill Hancock and the State was represented by Assistant Attorney General J. Rutledge Johnson. Judge Welmaker denied Petitioner relief by an order filed on September 27, 2013.

This petition for writ of certiorari follows.

## ARGUMENT

### I.

**Petitioner's Sixth Amendment rights were violated when counsel adopted an objectively unreasonable trial strategy relying on the alibi witness testimony of Petitioner's sister, as she was impeached at trial by the State after claiming to have seen Petitioner at his mother's house before she allegedly left for school on the morning of January 21, 2008, when in reality schools were closed in observation of Martin Luther King Day.**

#### **Relevant Facts**

On Sunday, January 20, 2008 at around 10:00 p.m., the Exxon gas station in Rock Hill, South Carolina was robbed. App. 192, ll. 2-13. The store's clerk was held at gun point by an individual wearing a hooded sweatshirt. App. 197, ll. 2-24. After handing over the cash, the robber fled around to the rear of the gas station. App. 202, ll. 1-13. A short time later, a dark blue or purple Dodge Durango pulled out from behind the gas station heading down a side street. App. 266, ll. 4-24. In addition to the clerk there were several customers either getting gas or walking towards the convenience store when the robbery took place. There was also security footage of the incident. App. 208, ll. 2-24.

On February 18, 2008, Petitioner was interviewed by law enforcement. App. 433, ll. 19-23.<sup>1</sup> During the interrogation, Petitioner admitted that he robbed the Exxon. App. 127, ll. 13-19. Upon searching Petitioner's residence, police discovered a .22 caliber pistol which was later recognized by the clerk as the gun used in the robbery. App. 479, ll. 3-21. Law enforcement also discovered that Petitioner's girlfriend owned a purple Dodge Durango that she allowed Petitioner to borrow. App. 442, ll. 20-25.

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<sup>1</sup> As a result of his arrest Petitioner was also indicted on additional charges for armed robbery, two counts of possession of a weapon during the commission of a violent crime, three counts of assault and battery with intent to kill, two counts of kidnapping and attempted armed robbery. On April 27, 2009, Petitioner pled guilty, but mentally ill to all charges and was sentenced by Judge Lee S. Alford to seven consecutive life sentences. The charges Petitioner was convicted of in this case established the necessary predicate charges for the State to seek life without parole.

## Trial

Petitioner's trial was the subject of intense media interest. App.52, ll. 11-24. During their case the State called the store clerk, investigating officers, Petitioner's girlfriend, and the customer-witnesses. The store clerk testified that during the robbery she was able to get a good look at the robber's face as it was a well-lit store and he was not wearing a mask. App. 199, ll. 16-24. The clerk also testified that she was familiar with guns and recognized the handgun as a .22 caliber pistol. App. 223, ll. 2-22.

Customer-witnesses all testified, with varying degrees of detail, that they observed a black male in a blue hoodie at the register of the store yelling at the clerk; then fleeing around the rear of the store; and a purple or dark blue Dodge Durango leave from behind the gas station within a few minutes of the robber disappearing in that direction. App. 266, ll. 4-24; App. 286, ll. 18-23. The State then asked an investigating officer to read Petitioner's confession and entered the video footage of the robbery, and the .22 caliber handgun found in Petitioner's apartment into evidence. App. 208, ll. 208, ll. 4-19; App. 445, ll. 17 – App. 446, ll. 22; App. 478, ll. 7-24.

Once the State rested, Petitioner called his mother and sister as alibi witnesses. Petitioner's mother, Valerie Dunham, testified that Petitioner regularly spends Sunday night at her house, but conceded that "he wasn't always at home." App. 507, ll. 25 – App. 508, ll. 1. Dunham admitted that she did not specifically recall January 20, 2008, but did not believe it was any different than their family's typical Sunday. App. 509, ll. 2-4. On cross-examination, Dunham conceded that she went to bed around 9:00 p.m. most nights because she worked early mornings. App. 513, ll. 1-7.

Petitioner's sister, sixteen years old at the time of trial, testified similarly that Sundays were family days and that Petitioner was almost always present. App. 514, ll. 2 – App. 515, ll. 20. She also did not recall January 20, 2008, being any different than other Sundays. App. 516, ll. 2-4.

When prompted by defense counsel, she further testified that she had to be at school the following Monday, January 21, 2008 at 8:20 a.m. and would wake up usually around 6:30 a.m. *Id.* at ll. 6-9. She then testified that she would usually go to bed around 10:30 p.m. and that Petitioner was usually still at the house at that time. App. 516, ll. 19 – App. 517, ll. 19

On cross-examination, she reiterated that she did not recall whether Petitioner was at the family home on January 20, 2008. App. 519, ll. 9-21. When asked if she was sure she caught the school bus the next day, Petitioner's sister said she was certain she got on the bus around 7:20 a.m. App. 521, ll. 3 – App. 522, ll. 8. She further testified that when she left to get the bus she was sure that Petitioner was still on the couch. App. 522, ll. 13-20. The defense then called a private investigator who testified about the distances and obstructions that might have impaired the view of the witnesses to the robbery. App. 534, ll. 2 – App. 539, ll. 25. The private investigator also played a video for the jury to illustrate how dark the area around the gas station is at night. App. 540, ll. 6-19.

On the final day of trial, the State called a rebuttal witness, Jennifer Anderson, the attendance coordinator for the Rock Hill School District. App. 572, ll. 16 – App. 573, ll. 7. She testified that there was no school on January 21, 2008, in observance of Martin Luther King Jr. Day. App. 573, ll. 13-25. The State then moved the 2007-2008 Rock Hill School District calendar into evidence. App. 574, ll. 10-19. On cross-examination, it was confirmed that even in the event of bad weather, January 21, 2008 would have been a holiday as make-up days are built into the schedule. App. 575, ll. 18 – App. 576, ll. 13.

#### PCR and Evidentiary Hearing

At the evidentiary hearing, Petitioner testified that defense counsel settled on a defense of alibi. App. 693, ll. 4-14. To that end, Petitioner's mother and sister testified about the family's usual Sunday. *Id.* Further, Petitioner said that his sister testified incorrectly that she went to school on

Martin Luther King Day and saw Petitioner asleep on the couch before she left. *Id.* at ll. 17-25. Petitioner agreed with the State's contention that because of the school schedule, his alibi was not credible. App. 699, ll. 15-18. Defense counsel testified that he was appointed close to the trial date and that his strategy was based on the alibi defense provided by Petitioner's family. App. 702, ll. 7-25. However, counsel also conceded that because of the school schedule, the alibi was discredited. *Id.* at ll. 23-25.

### Order of Dismissal

In dismissing Petitioner's request for relief, the PCR court specifically noted that Petitioner agreed his alibi witness was completely discredited. App.719. Further, the court held that counsel's decisions regarding calling Petitioner's family members and to not object to amending the date on the indictment was a sound strategy under the circumstances as an amendment would further discredit the alibi witnesses. App. 722.

### **Discussion**

Defense counsel's objectively unreasonable trial strategy in presenting Petitioner's sister as an alibi witness constitutes deficient performance because her testimony was fatally impeached by publicly available records proving her school was closed on the day she claimed to see Petitioner, and absent this deficient performance, the outcome of Petitioner's trial would have been different. *See Strickland v. Washington*, 466 U.S. 668, 687-88 (1984).

The Sixth Amendment guarantees "[i]n all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defense." U.S. Const. amend. VI. The United States Supreme Court established the constitutional right to *effective* assistance of counsel in *Powell v. Alabama*, 287 U.S. 45 (1932). To establish ineffective assistance of counsel, the Petitioner must satisfy a two-prong test set forth in *Strickland*. "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, 386 S.E.2d 624 (1989) (internal citations omitted). *Butler v. State*, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985) (quoting *Strickland*, 466 U.S. at 692).

The second prong of the *Strickland* test requires a showing that the deficient performance of counsel prejudiced the petitioner 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. *Id.* at 117-118, 386 S.E.2d at 625. Specifically, “[a] reasonable probability is a probability sufficient to undermine confidence in the outcome of trial.” *Johnson v. State*, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing *Strickland*, 466 U.S. at 694); see also *Cherry*, 300 S.C. at 117-18, 386 S.E.2d at 625.

#### Deficient Performance

Trial counsel’s failure to investigate the school district’s schedule when adopting an alibi defense, which depended on Petitioner’s sister seeing Petitioner at home when she left for school the next morning, was objectively unreasonable and constituted deficient performance. *Strickland*, 466 U.S. at 692.

The United States Supreme Court has held that “counsel has a duty to make reasonable investigations or to make a reasonable decision that makes particular investigations unnecessary.” *Strickland*, 466 U.S. at 691; See *Wiggins v. Smith*, 539 U.S. 510, 527 (2003) (noting “[i]n assessing the reasonableness of an attorney’s investigation, . . . a court must not only consider the quantum of evidence already known to counsel, but also whether the known evidence would lead a reasonable attorney to investigate further”); see also *Lounds v. State*, 380 S.C. 454, 460, 670 S.E.2d 646, 649 (2008) (finding “at a minimum, counsel has the duty to interview potential witnesses and to make

an independent investigation of the facts and circumstances of the case”) (internal quotations omitted); *see also Ard v. Catoe*, 372 S.C. 318, 642 S.E.2d 590 (2007) (criminal defense attorney has a duty to undertake a reasonable investigation).

One component of this duty is to investigate alibi witnesses identified by a defendant, and the failure to ascertain whether their testimony would aid the defense is unreasonable. *Walker v. State*, 407 S.C. 400, 405, 759 S.E.2d 144, 146 (2014) (citing *Grooms v. Solem*, 923 F.2d 88, 90 (8th Cir.1991)). Strategic choices made by counsel after an incomplete investigation are reasonable “only to the extent that reasonable professional judgment supports the limitations on the investigation.” *See Von Dohlen v. State*, 360 S.C. 598, 607, 602 S.E.2d 738, 743 (2004) (quoting *Wiggins v. Smith*, 539 U.S. 510, 533, 123 S.Ct. 2527, 156 L.Ed.2d 471 (2003)). An alibi derives its strength as a defense from the fact that it involves the physical impossibility of the accused's guilt; conversely an alibi which leaves it possible for the accused to be the guilty person is no alibi at all. *State v. Robbins*, 275 S.C. 373, 375, 271 S.E.2d 319, 320 (1980).

Counsel’s strategic decision to call Petitioner’s sister as an alibi witness constituted deficient performance; as a simple investigation into her testimony would have revealed that there was no school on January 21, 2008. Counsel’s defense strategy as stated in his opening argument was, “We don’t dispute that the store was robbed. We just say we didn’t do it.” App 189, ll. 12-16. Counsel presented the private investigator to show that the eye-witness identifications may be unreliable. He presented Petitioner’s mother and Petitioner’s sister to provide Petitioner with a specific alibi to make his guilt a physical impossibility. Therefore, when Petitioner’s sister’s testimony that she saw Petitioner sleeping at the family residence before heading to school on that day was impeached; the entire defense theory was completely discredited.

Accordingly, the PCR court erred in finding that trial counsel utilized an objectively reasonable trial strategy where counsel's failure to conduct an investigation in preparation for Petitioner's trial resulted in Petitioner's alibi witness being impeached from easily accessible public information. Trial counsel's performance was not reasonable "under prevailing professional norms." *See Strickland*, 466 U.S. at 687-88; *Cherry*, 300 S.C. 115, 386 S.E.2d 624.

### Prejudice

Petitioner was prejudiced because trial counsel's deficient performance "so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." *Butler*, 286 S.C. at 442, 334 S.E.2d at 814 (quoting *Strickland*, 466 U.S. at 692). Counsel's failing in the present case is analogous to the defense attorney in *McKnight v. State*, 378 S.C. 33, 661 S.E.2d 354 (2008), who rendered ineffective assistance of counsel by calling an expert witness to the stand whose testimony undermined the defense. In *McKnight*, this Court found there was a reasonable probability counsel's deficiency prejudiced the defendant as it bolstered the State's case and was relied upon by the appellate court in affirming the defendant's conviction. *Id.* at 45, 661 S.E.2d at 360.

Discrediting of Petitioner's sister as an alibi witness prejudiced the defense because it undermined the defense's theory of the case and bolstered the State's. Moreover, as the PCR court noted in dismissing Petitioner's application, "Applicant admitted that [his sister] was completely discredited by the State's rebuttal witness, which proved that the York County schools were closed on the day she claimed." App. 719. The total failure of Petitioner's alibi defense and the related damage to Petitioner's case was such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." App. 626; *Cherry*, 300 S.C. at 118, 386 S.E.2d at 625 (internal citations omitted); *See Strickland*, 466 U.S. 668.

## II.

**Petitioner's Sixth Amendment rights were violated when counsel failed to seek a mental evaluation of Petitioner prior to trial to determine if he was legally insane at the time of the offense or was competent to stand trial.**

### **Relevant Facts**

#### Resolution of Additional Indictments

In May of 2008, the York County Grand Jury indicted Watts for armed robbery, two counts of possession of a weapon during the commission of a violent crime, three counts of assault and battery with intent to kill, two counts of kidnapping and attempted armed robbery. Supp. App. 4, ll. 5 – Supp. App. 5, ll. 4.<sup>2</sup>

Watts was sentenced to seven consecutive life sentences. Supp. App. 36, ll. 11 – Supp. App. 37, ll. 17. On these charges, Petitioner was represented by Douglas Gay who informed the judge, “His mother could tell you he’s a different person when he’s on his medication. He didn’t have the medication to take with him to get the medication, and that is more or less the basis for our plea today, that the solicitor has agreed not to contest that Mr. Watts is guilty but mentally ill.” Supp. App. 32, ll. 17-22. Counsel briefly outlined Watts’ experience with medications while he was in a juvenile program and his inability to obtain medications from the Catawba Mental Health Center once released. *Id.* at ll. 3-16. The robbery in the present case occurred approximately two and a half months after his supply of medications ran out. *Id.*

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<sup>2</sup> Plea Hearing Transcript, April 27, 2009 (Michael R. Watts, Circuit Court Reporter). This plea hearing and the mental evaluation undertaken by plea counsel was discussed extensively at the PCR hearing. App. 709, ll. 11 – App. 712, ll. 9. The PCR Court ruled that trial counsel was not ineffective for failing to request a mental health evaluation. App 723.

### PCR and Evidentiary Hearing

At the evidentiary hearing, Petitioner stated that he discussed his mental health with counsel and explained that he was undergoing treatment and taking medication at the time of trial. App. 691, ll. 5-9. Petitioner further testified that prior to the robbery he had stopped taking medication prescribed to him for schizophrenia and bipolar disorder. *Id.* at 14-22. Petitioner stated that counsel never explained that he had the option of having a hearing to establish his fitness for trial or whether he was legally sane at the time of the robbery. App. 1-14. Instead, Petitioner noted that counsel had waived conducting an evaluation. *Id.*

Counsel testified that he did not recall discussing Petitioner's mental condition with him. App. 706, ll. 18-24. Counsel confessed that he had never had a client evaluated for competence. App. 708, ll. 7-11. Counsel expressed that he has had client whose capacity he was concerned about, but that he never represented an individual who was legally insane. *Id.* at ll. 1-5. Counsel further claimed that he did not have any concerns about Petitioner's mental capacity and that he did not remember Petitioner telling him that he was being treated for schizophrenia and bipolar disorder. App. 709, ll. 19-23. Counsel conceded that Petitioner's plea counsel on the later indictments did have an evaluation performed on Petitioner and conceded that reviewing Petitioner's mental health records could have helped him in representing Petitioner. App. 710, ll. 1-13.

### **Discussion**

Counsel rendered ineffective assistance when he failed to seek a mental evaluation of Petitioner prior to trial to determine if he was legally insane at the time of the offense or was competent to stand trial; and petitioner was prejudiced by the resulting inability to present an

insanity defense or to use his mental condition as mitigation in the sentencing portion of his trial. *See Strickland*, 466 U.S. at 687-88.

Due process prohibits the conviction of an incompetent defendant, and this right may not be waived by a guilty plea. *Jeter v. State*, 308 S.C. 230, 232, 417 S.E.2d 594, 595 (1992). In order to find that Petitioner's trial counsel was ineffective for refusing to request a *Blair* hearing on petitioner's competency to stand trial, petitioner must show that counsel was deficient and that the deficiency prejudiced the outcome of petitioner's proceedings. *Matthews v. State*, 358 S.C. 456, 459, 596 S.E.2d 49, 50–51 (2004).<sup>3</sup>

By comparison under the *M'Naughten* test, an accused who lacks the capacity to distinguish moral or legal right from moral or legal wrong at the time of the crime is relieved of responsibility for his acts. *State v. Law*, 270 S.C. 664, 244 S.E.2d 302 (1978). This test has been codified in South Carolina under S.C. Code Ann. § 17-24-10 (1984). Counsel can be ineffective for not adequately informing a defendant of the *M'Naughten* defense, which would potentially relieve defendant of criminal liability. *Davenport v. State*, 301 S.C. 39, 40-41, 389 S.E.2d 649, 649 (1990).

#### Deficient Performance

By the time Petitioner's case was called to trial, counsel was aware that Petitioner had other pending charges. Counsel also acknowledged that while he had occasionally represented clients that he was concerned lacked the capacity to stand trial, he had never represented a client who may have been legally insane. App.707, ll. 23 –App. 708, ll. 15. On that basis counsel determined that Petitioner's mental health was not a major issue. Petitioner testified that he explained to counsel that

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<sup>3</sup> *State v. Blair*, 275 S.C. 529, 273 S.E.2d 536 (1981) (competency to stand trial hearing should be held when defendant has history of mental disorders and defendant's sanity may be at issue).

he had an extensive history of mental health issues and had run out of his prescribed anti-psychotic medications prior to committing the alleged robberies. App. 691, ll. 6-15.

Counsel should have sought a mental health evaluation for Petitioner to determine if he was competent to stand trial or lacked the capacity to distinguish moral or legal right from moral or legal wrong at the time of the crime. Petitioner presented counsel with sufficient evidence of mental health issues to require a reasonable investigation on the part of the counsel. *Catoe*, 372 S.C. at 319, 642 S.E.2d at 591. While counsel may have had experience in dealing with mentally incompetent clients; he had never represented a legally insane client. App. 684, ll. 7-14.

Accordingly, counsel's failure to inform Petitioner of the *M'Naughten* defense or to seek a *Blair* hearing to determine Petitioner's competency to stand trial and capacity to distinguish right from wrong, constituted deficient performance falling below professional norms. *See Strickland*, 466 U.S. at 687-88; *Cherry*, 300 S.C. 115, 386 S.E.2d 624.

### Prejudice

To demonstrate prejudice when counsel has failed to fully investigate the petitioner's mental capacity, Petitioner "need only show a reasonable probability that he was either insane at the time [the crime was committed] or incompetent at the time of the [trial]." *Matthews*, 358 S.C. at 459, 596 S.E.2d at 50 (quoting *Jeter v. State*, 308 S.C. 230, 233, 417 S.E.2d 594, 596 (1992)). At the PCR hearing, Petitioner presented sufficient evidence to prove by a preponderance of the evidence that he was guilty but mentally ill at the crime was committed.<sup>4</sup>

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<sup>4</sup> Guilty but mentally ill is recognized as a distinct verdict from guilty. *State v. Hornsby*, 326 S.C. 121,126-127, 484 S.E.2d 869, 872 (1997) (guilty but mentally ill acknowledges the continuum in the law regarding mental illness provides a signal to the Department of Corrections that a new prisoner may have a mental illness and should be treated before integrating him into the general prison population).

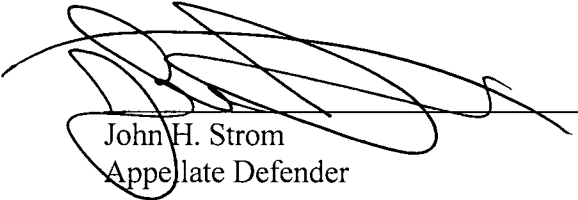
Petitioner testified that he was undergoing mental health treatment during the time he was represented by counsel. App. 691, ll. 6-21. Petitioner testified that he was on medication for schizophrenia and bipolar disorder and that he discussed his mental health with counsel. *Id.* Petitioner's consistent taking of his medication during counsel's period of representation may contribute to counsel's belief that Petitioner was competent to stand trial and sane at the time he committed the robbery. Petitioner's plea counsel in his subsequent case had Petitioner evaluated and Petitioner eventually pled guilty, but mentally ill to his remaining charges. App. 710, ll. 1-4. Finally, counsel conceded that reviewing Petitioner's mental health records may have better informed his defense. *Id.* at ll. 10-13.

Therefore, the PCR court erred in finding trial counsel provided effective assistance of counsel because there is a reasonable probability that Petitioner was either insane at the time the crimes were committed or incompetent to stand trial and that, "but for counsel's unprofessional errors, the result of the proceeding would have been different." *Jeter*, 308 S.C. at 233, 417 S.E.2d at 596; *Cherry*, 300 S.C. at 118, 386 S.E.2d at 625 (internal citations omitted); *See Strickland*, 466 U.S. 668.

CONCLUSION

For the foregoing reasons, the Court should grant certiorari, allow further briefing, and ultimately reverse Petitioner's convictions.

Respectfully submitted,



John H. Strom  
Appellate Defender

ATTORNEY FOR PETITIONER

This 7th day of January, 2015.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to York County  
G. Edward Welmaker, Circuit Court Judge  
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PHILLIP FLEMING WATTS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-002720

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CERTIFICATE OF SERVICE  
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I certify that a true copy of the petition for writ of certiorari and a copy of the appendix in this case have been served on J. Rutledge Johnson, Esquire at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 7<sup>th</sup> day of January, 2015.

  
\_\_\_\_\_  
John H. Strom  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 7th day  
of January, 2015.

Rhonda Demese Zawad (D.S.)  
Notary Public for South Carolina  
My Commission Expires: October 17, 2021.