

LAW OFFICE OF
Kristy Grafton Goldberg, LLC
ATTORNEY AT LAW

March 17, 2015

The Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RECEIVED

MAR 19 2015

S.C. Supreme Court

RE: David Watson, SCDC # 334288, vs. State of South Carolina
Appeal of Case No. 2013-CP-40-05966

Dear Mr. Shearouse,

Enclosed for filing is a Notice of Appeal in the above referenced case. Also enclosed are a certificate of service and a copy of the original court order which is to be challenged on appeal. I would appreciate it if you could file the Notice of Appeal and mail a date-stamped copy back to me in the enclosed pre-stamped envelope.

By copy of this letter I am informing the Office of Appellate Defense of this Appeal so that they may begin representation of Ms. Watson, as I was appointed to represent him in this PCR action. I am also hereby requesting that Appellate Defense obtain a copy of the court transcript within the time required by this court.

Please let me know if you have any questions or concerns regarding this matter.

Respectfully,



Kristy Goldberg

CC: Clay Mitchell
Assistant Attorney General
Post Office Box 11549
Columbia, South Carolina 29211-1549

David Watson, SCDC # 334288

Lieber Correctional Institution
P.O. Box 205
Ridgeville, SC 29472

Jeanette McBride, Clerk of Court
1701 Main Street, Room 205
Post office Box 2766
Columbia, South Carolina 29202

Office of Appellate Defense
Chief Appellate Defender - Robert Dudek
PO Box 11433
Columbia, SC 29211-1433

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

MAR 19 2015

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

S.C. Supreme Court

J. Ernest Kinard, Circuit Court Judge

Case No. 2013-CP-40-05966

David W. Watson, SCDC # 334288, Appellant

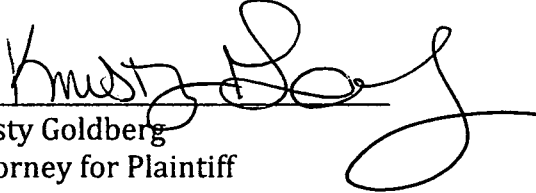
v.

State of South Carolina, Respondent.

NOTICE OF APPEAL

Applicant David Watson hereby appeals from the Order of the Honorable J. Ernest Kinard presiding Judge for the 5th Judicial Circuit, filed March 3, 2015 and received by counsel for the Applicant on March 16, 2015 in the matter of David Watson v. State of South Carolina, Case No. 2013-CP-40-05966.

March 17, 2015



Kristy Goldberg
Attorney for Plaintiff

Law Office of Kristy Goldberg, LLC.
1720 Main Street, Suite 303
Columbia, SC 29201
Phone (803) 667-6633
kristy@kristygoldberglaw.com

Other Counsel of Record:
Assistant Attorney General, Clay Mitchell
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

MAR 19 2015

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

S.C. Supreme Court

J. Ernest Kinard, Circuit Court Judge

Case No. 2013-CP-40-05966

David W. Watson, SCDC # 334288, Appellant

v.

State of South Carolina, Respondent.

PROOF OF SERVICE

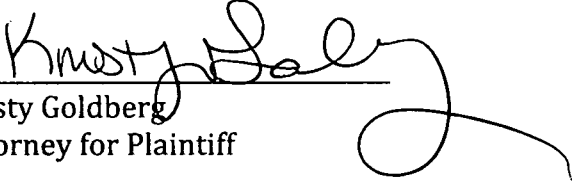
Personally appeared before me, Kristy Goldberg, Esquire, who being duly sworn, deposes
and states:

She is the counsel of record for Applicant;

Service by mail is proper in this instance; and

She has served the NOTICE OF APPEAL on the following party on March 17, 2015 by
depositing one copy in the U.S. Mail, postage prepaid:

Assistant Attorney General, Clay Mitchell
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211



Kristy Goldberg
Attorney for Plaintiff

Law Office of Kristy Goldberg, LLC.

1720 Main Street, Suite 303
Columbia, SC 29201
Phone (803) 667-6633
kristy@kristygoldberglaw.com

Other Counsel of Record:
Assistant Attorney General, Clay Mitchell
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2013CP4005966

David W #334288 Watson

State of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

RECEIVED
COURT CLERK
2015 MAR -9 AM 9:01
RICHLAND COUNTY

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 9 March 2015 to attorneys of record or to parties (when appearing pro se) as follows:

David W #334288 Watson

Kristy Grafton Goldberg

Megan Harrigan Jameson

David W #334288 Watson

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court _____

Janette W. McBride

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

David W. Watson, #334288,

Applicant,

v.

State of South Carolina,

Respondent.

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

2013-CP-40-05966

ORDER OF DISMISSAL

RICHLAND COUNTY
FILED
2015 MAR - 3 AM 10:20
JEANNETTE N. MCBRIDE
C.P. & G.S.

This matter comes before the Court pursuant to an application for post-conviction relief (PCR) filed October 1, 2013. Respondent made its Return on February 5, 2014, requesting an evidentiary hearing be convened. Kristy G. Goldberg, Esquire, was appointed by the Richland County Clerk of Court. Applicant filed an amended application for post-conviction relief on November 18, 2014.

An evidentiary hearing was held on December 11, 2014, at the Richland County Courthouse. Applicant was present and represented by Counsel Goldberg. J. Clayton Mitchell, Esquire, of the South Carolina Attorney General's Office represented Respondent.

At the PCR hearing, Applicant testified on his own behalf. Also testifying was Applicant's plea counsel, Jennifer C. Davis, Esquire. The Court had before it the Richland County Clerk of Court records, Applicant's South Carolina Department of Corrections records, the PCR application, the Return, Applicant's appellate records, and the guilty plea transcript.

I. PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Richland County Clerk of Court. Applicant was indicted during the March 2011 term of the Richland County Grand Jury for: Burglary in the Second Degree

(Non-Violent) (2011-GS-40-0597); Possession of a Stolen Vehicle, Value More than \$2,000 but less than \$10,000 (2011-GS-40-1073); Unlawful Carrying of a Pistol (2011-GS-40-1074). Applicant was also indicted during the September 2011 term of the Richland County Grand Jury for; three counts of Armed Robbery (2011-GS-40-4582, -4644, -4645), Attempted Armed Robbery (2011-GS-40-4392), and Murder (2011-GS-40-4391). Applicant was indicted during the October 2011 term of the Richland County Grand Jury for Breaking and Entering into a Motor Vehicle (2011-GS-40-3982). Applicant was indicted during the April 2012 term of the Richland County Grand Jury for Possession of a Stolen Vehicle, Value More than \$2,000 but less than \$10,000 (2012-GS-40-1424). Additionally, Applicant waived presentment to the Richland County Grand Jury for an additional count of Armed Robbery (2012-GS-40-5022). Jennifer C. Davis, Esquire, of the Richland County Public Defender's Office represented Applicant. On September 10, 2012, Applicant appeared before the Honorable L. Casey Manning, where he pleaded guilty pursuant to negotiations to all of the above-mentioned charges. Judge Manning accepted the parties' negotiations and sentenced Applicant as follows:

2011-GS-40-1073	Possession of a Stolen Vehicle	5 years
2012-GS-40-1424	Possession of a Stolen Vehicle	5 years
2011-GS-40-3982	Breaking into a Motor Vehicle	5 years
2011-GS-40-1074	Unlawfully Carrying a Pistol	1 year
2011-GS-40-0597	Burglary, 2 nd Degree	10 years
2011-GS-40-4392	Attempted Armed Robbery	20 years
2012-GS-40-5052	Armed Robbery	30 years
2011-GS-40-4645	Armed Robbery	30 years
2011-GS-40-4644	Armed Robbery	30 years
2011-GS-40-4391	Murder	50 years

Thereafter, Applicant filed a notice of appeal. The South Carolina Court of Appeals dismissed Applicant's appeal on October 17, 2012, for failing to provide a sufficient explanation as required by Rule 203(d)(1)(B)(vi). The Remittitur was sent on December 13, 2012.

While his direct appeal was pending before the South Carolina Court of Appeals, Applicant filed an initial application for post-conviction relief on November 27, 2012 (C.A. No. 2012-CP-40-7831). This application was dismissed without prejudice by written Order filed December 6, 2012, with leave to re-file upon the conclusion of his direct appeal.

In this action, Applicant alleges that he is being held in custody unlawfully for the following reasons:

1. Involuntary guilty plea;
2. Ineffective assistance of counsel in that counsel failed to sufficiently prepare Applicant for trial, failed to provide him with a copy of discovery, and failed to file a meaningful notice of appeal.

II. SUMMARY AND EVIDENCE PRESENTED AT THE PCR HEARING

Applicant's Testimony

Applicant testified he pled guilty to a negotiated sentence of fifty (50) years imprisonment. Applicant testified he thought he was going to be picking a jury the day he pled guilty. He proclaimed he did not discuss the plea offer he ultimately entered into with Counsel and that they had no conversations concerning the negotiated deal.

Applicant asserted that he got into a physical altercation at the jail that day and had taken certain medications to treat his injuries. He also stated that he was suffering from depression at the time of the plea. He testified that he failed to alert the court and Counsel of this altercation.

Applicant testified that Counsel did not review discovery materials with him. He claimed he was unable to prepare for trial because he did not have a copy of those materials. Applicant stated that he did receive of full copy of discovery after he pleaded guilty. Applicant also asserted that the State did not have sufficient evidence tying him to the crimes he pled guilty to, but conceded that during the plea colloquy the State could find him guilty with the evidence they planned to present against him.

Counsel Jennifer C. Davis's Testimony

Counsel testified she represented Applicant on the charges currently before the Court and was appointed on or about September 10, 2012. Counsel testified she had concerns with Applicant's competency which prompted her to have him evaluated. The examining physician found Applicant competent to stand trial. Counsel testified that Applicant knew he was going to be pleading guilty as he made the decision to do so. Counsel testified she was still preparing for trial up until the day Applicant pleaded guilty. Counsel testified she fully advised Applicant multiple times of the rights he was waiving by pleading guilty and that they had discussions regarding the terms of the negotiated plea. Counsel testified that Applicant knew he was pleading guilty, had a full understanding of the consequences in doing so, and was fully aware of the terms of the negotiations.

Counsel testified that she reviewed the discovery materials with Applicant. She explained that Applicant knew what the State planned to present as evidence which included Applicant's palm print pulled from the scene of an armed robbery. The State also planned to present the statement from Applicant's girlfriend detailing how Applicant flushed empty shell casings down the toilet which matched the bullet fired from the gun that killed the victim. Counsel was prepared to challenge the confession Applicant gave to investigators on an evidentiary basis because Applicant denied ever giving such statement.

Counsel testified she did not see any grounds for an appeal which is also why she did not make any objections at the plea hearing. Counsel stated that Applicant was adamant about appealing the guilty plea which is why she filed the notice of appeal.

III. APPLICABLE LAW

In a post-conviction relief action, the Applicant bears the burden of proving the allegations in their application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Where the application alleges ineffective assistance of counsel as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (1984); Butler, 334 S.E.2d 813.

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. 668. Applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

Courts use a two-pronged test in evaluating allegations of ineffective assistance of counsel. Id. at 117, 386 S.E.2d at 625. First, the applicant must prove counsel's performance was deficient. Id. Under this prong, courts measure an attorney's performance by its "reasonableness under prevailing professional norms." Id. (citing Strickland, 466 U.S. at 688). Second, any deficient performance must have prejudiced the applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Id. at 117-18, 386 S.E.2d at 625. With respect to guilty plea counsel, the Applicant must show there is a reasonable probability that, but for counsel's alleged errors, he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 59 (1985).

IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the testimony presented at the evidentiary hearing, observed the witnesses presented at the hearing, passed upon their credibility, and weighed the testimony accordingly. Further, this Court has reviewed the Clerk of Court records regarding the subject convictions, the guilty plea transcript, Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief, the appellate records, and the legal arguments made by the attorneys. Pursuant to S.C. Code Ann. § 17-27-80 (2003), this Court makes the following findings of fact based upon all of the probative evidence presented.

As a matter of general impression, this Court finds Applicant's testimony and assertions to be not credible. In contrast, this Court finds Counsel's testimony to be credible and persuasive on all matters. These credibility findings have been applied to the Court's findings and conclusions set forth below.

Involuntary Guilty Plea

Applicant argues he did not plead guilty knowingly and voluntarily. This Court finds otherwise and concludes that Applicant's guilty plea was entered freely and voluntarily. To find a guilty plea is voluntarily and knowingly entered into, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him. Boykin v. Alabama, 395 U.S. 238, 89 S. Ct. 1709, 23 L.Ed.2d 274 (1969). Defendant's knowing and voluntary waiver of statutory or constitutional rights must be established by a complete record, and "may be accomplished by colloquy between court and defendant, between court and defendant's counsel, or both." Roddy v. State, 339 S.C. 29, 34, 528 S.E.2d 418, 421 (2000) (citing State v. Ray, 310 S.C. 431, 437, 427 S.E.2d 171, 174 (1993)). A guilty plea is a solemn, judicial admission of the truth of the charges against an individual; thus, a criminal inmate's right to contest the validity of such a plea is usually, but not invariably, foreclosed. Dalton v. State,

376 S.C. 130, 137-38, 654 S.E.2d 870, 874 (Ct. App. 2007) (citing Blackledge v. Allison, 431 U.S. 63, 97 S. Ct. 1621, 52 L.Ed.2d 136 (1977)). Therefore, statements made during a guilty plea should be considered conclusive unless a criminal inmate presents valid reasons why he should be allowed to depart from the truth of his statements. Crawford v. United States, 519 F.2d 347 (4th Cir.1975).

Applicant claims he did not know he was pleading guilty the day of the plea hearing and believed he would be picking a jury for trial. He also claims he did not understand that he was pleading guilty before the court. This Court finds this contention incredible. This Court finds the record reflects Applicant was advised of the waiver of his constitutional rights by the plea court's very thorough colloquy with Applicant. This Court finds very credible Counsel's testimony regarding her preparation and advice concerning the case and the amount of time Applicant was facing. The record reflects Applicant admitted his guilt to the plea court. He was asked if he was guilty by the plea judge dozens of times. This Court finds Applicant's testimony regarding his belief that he was going to trial to be absurd and unpersuasive. The record reflects that Applicant was further advised by the plea court of the maximum sentence he could receive on each charge, which included a life sentence on the murder charge. (Plea Tr. P. 14); See Wolfe v. State, 326 S.C. 158, 164, 485 S.E.2d 367, 370 (1997) (any possible misconceptions about sentence length cured by colloquy at guilty plea hearing). The plea court went to great pains to explain the amount of time Applicant was facing pursuant to the negotiated plea deal. Applicant was fully informed of the nature and consequences of his plea.

Applicant further claims that he did not enter his guilty plea freely and voluntarily because he was put on medication as a result of a fist fight just before pleading guilty. This Court finds these assertions to be not credible. Applicant failed to support these assertions with any

evidence and has therefore failed to meet his burden. See Rule 71.1(e), SCRCP; Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985) (Applicants bear the burden of proving the allegations in his or her application.). Applicant also failed to alert Counsel and the plea court of this alleged incident. See Barnes v. Thompson, 58 F.3d 971, 979 (4th Cir. 1995) (citing Strickland, 466 U.S. at 690-91, 104 S.Ct. at 2066) (“Counsel's actions are usually based, quite properly, on informed strategic choices made by the defendant and on information supplied by the defendant.”). This Court also finds Applicant cannot prove prejudice as there was no testimony showing what effect the alleged medication would have had on Applicant. This allegation is denied and dismissed with prejudice.

This Court finds the plea judge correctly found Applicant’s plea was freely, voluntary, and intelligently made. This allegation is denied and dismissed with prejudice.

Ineffective Assistance of Counsel

This Court finds Applicant failed to meet his burden to prove that counsel’s performance was either deficient or ineffective for failing to sufficiently prepare Applicant for trial. To establish counsel was inadequately prepared, an Applicant must present evidence of what counsel could have discovered or what other defenses could have been pursued had counsel been more fully prepared. Jackson v. State, 329 S.C. 345, 495 S.E.2d 768 (1998). This Court finds trial counsel’s testimony more credible than Applicant’s testimony. This Court finds Counsel was thoroughly prepared to take Applicant’s case to trial as she was preparing the case until the day Applicant pleaded guilty. Furthermore, Applicant failed to produce any evidence at the PCR hearing to show what Counsel should have but did not investigate at the PCR hearing, and therefore cannot prove any resulting prejudice. See Frasier v. State, 306 S.C. 158, 160-61, 410 S.E.2d 572, 573 (1991). This allegation is denied and dismissed.

This Court finds Applicant's allegation that Counsel failed to review discovery with him to be meritless. Counsel's credible testimony on the issue is persuasive. Counsel met with Applicant and reviewed the discovery materials. Counsel emphasized that Applicant knew what evidence would be presented against him if the case went to trial. This Court finds Applicant has failed to show how Counsel's alleged failure to provide him with a copy of discovery materials affected the outcome of his proceedings. This Court also finds Counsel's testimony credible with regards to her advice on the terms of the negotiated plea agreement and how she thoroughly reviewed the offer and its consequences. This Court finds these allegations are wholly without merit.

Finally, this Court finds Applicant has failed to carry his burden to prove Counsel was ineffective in her filing of the notice of appeal. "[C]ounsel has a constitutionally imposed duty to consult with the defendant about an appeal when there is reason to think either (1) that a rational defendant would want to appeal (for example, because there are nonfrivolous grounds for appeal), or (2) that this particular defendant reasonably demonstrated to counsel that he was interested in appealing." Roe v. Flores-Ortega, 528 U.S. 470, 480, 120 S. Ct. 1029, 1036, 145 L. Ed. 2d 985 (2000). Here, Counsel conferred with Applicant and testified to how adamant he was about appealing his plea and sentence. Pursuant to Applicant's wishes, Counsel then filed a timely Notice of Appeal. Counsel's credible testimony that there were no appealable issues is persuasive. This Court finds there was no basis in an appeal. The record before the Court, chiefly the guilty plea transcript, shows that the meticulous colloquy ensured Applicant was apprised of his rights and fully admitted his guilt. This Court also finds Applicant failed to present any evidence showing how he may be prejudiced by this alleged deficiency. See Rule 71.1(e), SCRPC; Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985).

It is also of significant note that Applicant pleaded guilty and, thus, waived all nonjurisdictional defenses and challenges. "A guilty plea constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights." Jamison v. State, 410 S.C. 456, 467, 765 S.E.2d 123, 129 (2014) (citing State v. Rice, 401 S.C. 330, 331-32, 737 S.E.2d 485, 485-86 (2013); Hyman v. State, 397 S.C. 35, 44, 723 S.E.2d 375, 379 (2012)). This Court finds Applicant failed to meet his burden with regards to the allegations addressed above.

All Other Allegations

As to any and all allegations that were raised in the application or at the hearing in this matter and not specifically addressed in this order, the Court finds Applicant failed to present any evidence regarding such allegations. Accordingly, the Court finds Applicant has abandoned any such allegations.

V. CONCLUSION

Based on the foregoing, the Court finds and concludes Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Applicant failed to demonstrate counsels' performance was unreasonable under prevailing professional norms. Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625; Stalk v. State, 383 S.C. 559, 563, 681 S.E.2d 592, 594 (2009). Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

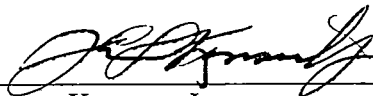
The Court notes Applicant must file and serve a notice of appeal within thirty (30) days from PCR counsel's receipt of written notice of entry of judgment to secure the appropriate appellate review. See Rule 203, SCACR. Pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991), Applicant has a right to appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRCP, provides that if Applicant wishes to seek

appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

IT IS THEREFORE ORDERED THAT:

1. The Application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. Applicant will remain in the custody of the South Carolina Department of Corrections to complete service of his sentence.

AND IT IS SO ORDERED this 25 day of Feb, 2015.



J. ERNEST KINARD, JR.
Presiding Judge

Cosuden, South Carolina

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

COUNTY OF RICHLAND)

CASE NO.: 2013_-CP-40_05966

David Watson)

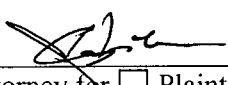
**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Plaintiff,)

vs.)

State of South Carolina)

Defendant.)

Plaintiff's Attorney: Kristy G. Goldberg, Bar No. 72674 Address: 1720 Main Street, Ste. 301, Columbia SC 29201 Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: Clay Mitchell, Bar No. 101443 Address: PO Box 11549, Columbia, SC 29211 Phone: _____ Fax _____ E-mail: _____ Other: _____
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input checked="" type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: _____ Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES / <input type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input type="checkbox"/> Written motion attached <input checked="" type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
 _____ Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant	2/19/15 Date submitted
SECTION III: Motion Fee	
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input checked="" type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input checked="" type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION	JUDGE CODE _____ Date: _____
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	
CLERK'S VERIFICATION	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

RICHLAND COUNTY
 FILED
 2015 MAR -3 AM 10:20
 JEANETTE H. HODGINS
 CLERK OF COURT

SCANNED

LAW OFFICE OF
Kristy Grafton Goldberg, LLC

ATTORNEY AT LAW
1720 MAIN STREET, SUITE 301
COLUMBIA, SOUTH CAROLINA 29201

The Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

