

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Honorable Tanya A. Gee, Circuit Court Judge

Case No.2012-CP-02-02248

RECEIVED

JUL 20 2015

S.C. SUPREME COURT

Trevis Eugene Johnson, #251600.....Petitioner,

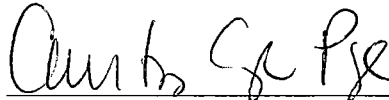
v.

State of South Carolina,Respondent.

NOTICE OF APPEAL

The State of South Carolina appeals the Honorable Tanya A. Gee's June 30, 2015, order denying post-conviction relief to the Respondent. Undersigned counsel received notice of entry of the order on July 9, 2015. A copy of the order on appeal is attached to this notice.

Respectfully submitted,



Courtney Clyburn Pope
319 Hampton Avenue
Aiken, SC 29801
Attorney for the Applicant

July 15, 2015

Other counsel of record:
Daniel Gourley
Rembert C. Dennis Building
1000 Assembly St.
Columbia, SC 29201

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

JUL 20 2015

Honorable Tanya A. Gee, Circuit Court Judge

S.C. SUPREME COURT

Case No.2012-CP-02-02248

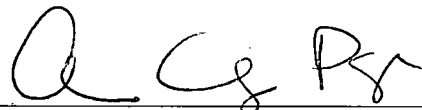
Trevis Eugene Johnson, #251600.....Petitioner,

v.

State of South Carolina,Respondent.

PROOF OF SERVICE

I, Courtney Clyburn Pope, certify that I have today served the within notice of appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to his attorney of record, Daniel Gourley, 1000 Assembly Street, Columbia, SC 29201. I further certify that all parties required by Rule to be served have been served this 15th day of July, 2015.



Courtney Clyburn Pope
319 Hampton Avenue
Aiken, SC 29801

CERTIFICATE OF SERVICE

I, Courtney Clyburn Pope, do hereby certify that I have this day served the original of Appellate's Notice to Appeal upon the South Carolina Court of Appeals, and copies of Appellate's Notice of Intent to Appeal to the Clerk of Court of Aiken County, and to J. Strom Thurmond, Solicitor, Second Judicial Circuit, by placing same in the United States Mail properly addressed and with correct postage affixed thereto:

Supreme Court of South Carolina
Post Office Box 11330
Columbia, SC 29211

South Carolina Commission
Of Appellate Defense
P. O. Box 11589
Columbia, SC 29211

Attorney General's Office
Rembert C. Dennis Building
1000 Assembly St.
Columbia, SC 29201

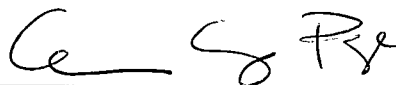
South Carolina Commission
On Indigent Defense
P. O. Box 11589
Columbia, SC 29211

RECEIVED

JUL 20 2015

S.C. SUPREME COURT

Dated this 15 day of July, 2015



Courtney Clyburn Pope
Appellant's Attorney
Post Office Drawer Q
Aiken, SC 29802
803-644-1110

July 15, 2015

South Carolina Commission
On Indigent Defense
Attention: Lorie French
P. O. Box 11589
Columbia, SC 29211

RECEIVED

JUL 20 2015

S.C. SUPREME COURT

RE: NOTICE OF INTENT TO APPEAL
Trevis E. Johnson #251600
Johnson v. State PCR

Dear Mrs. French:

Please find enclosed copies of Notice of Intent to Appeal and Order of Dismissal for the above referenced case.

Mr. Johnson's PCR was dismissed on June 30, 2015 and filed on July 6, 2015.

I am available to discuss this case if you so desire.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clyburn Pope', written in a cursive style.

Courtney Clyburn Pope, Esq.
Clyburn Pope & Price, LLC

Enclosure

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

IN THE COURT OF COMMON PLEAS
FOR THE SECOND JUDICIAL CIRCUIT

Trevis Eugene Johnson, #251600,

Case No. 2012-CP-02-02248

Applicant,

v.

ORDER OF DISMISSAL

State of South Carolina,

Respondent.

This matter comes before the Court by way of a post-conviction relief (PCR) application filed on September 6, 2012. Respondent filed an amended return on July 10, 2014. An evidentiary hearing was convened on May 21, 2015, at the Aiken County Courthouse. Applicant was present at the hearing and was represented by Courtney Pope, Esquire. Respondent was represented by Assistant Attorney General Daniel Gourley of the South Carolina Attorney General's Office.

PROCEDURAL HISTORY

The records before this Court indicate that Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Aiken County Clerk of Court. The Applicant was true bill indicted at the April 2008 term of the Aiken County Grand Jury for Trafficking in Cocaine, Morphine, Opium, Salt, Isomer, Salt of an Isomer or Heroin, >200 g <400 g (2008-GS-02-0522) and Possession with Intent to Distribute Cocaine within the Proximity of a School (2008-GS-02-0523). Johnny Watson, Sr., Esquire, represented him. On March 17-19, 2009, Applicant proceeded to a jury trial before the Honorable Doyet A.

Early, III. On March 19, 2009, Applicant was found guilty of Trafficking Cocaine more than

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

I, Liz Godard, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

10 day of July 2015

Liz Godard
C.C.P. & G.S., Aiken County, S.C.
Daniel Gourley

FILED *10 July 2015*
Liz Godard
C.C.P. & G.S.
Daniel Gourley
17:20PM

200 grams less than 400 grams and not guilty of Possession with Intent to Distribute Cocaine within the Proximity of a School. Judge Early sentenced Applicant to twenty-five years' imprisonment and a \$100,000.00 fine.

Applicant appealed his convictions, and an appeal was perfected. The South Carolina Court of Appeals dismissed the appeal. State v. Trevis Eugene Johnson, 2012-UP-244 (S.C. Ct. App. filed April 25, 2012). The Remittitur was issued on May 15, 2012.

ALLEGATIONS

In his current Application, Applicant alleges that he is being held in custody unlawfully for the following reasons:

1. Ineffective assistance of counsel
 - a. "failure to prepare for trial"
 - b. "failure to request a continuance"
 - c. "failure to provide case law that establishes probable cause precedent"
 - d. "failure to request chain of custody documents associated with presented evidence (i.e. the black bag [state's exhibit 15])"
 - e. "failure to object to state's exhibit 15 being admitted into evidence with no valid chain of custody documents"
 - f. "failure to object to defense not being provided with fingerprint results before, during, or after trial"
 - g. "failure to request that the jury be charged that trafficking is an enhanced possession charge"
 - h. "failure to request that the jury be charged that S.C. law prescribes that circumstantial evidence is not enough to convict on a charge of possession without more"
 - i. "failure to request a mere presence instruction"
 - j. "failure to object to solicitor's statement that jury should disregard statements made by officers that implies intent to frame defendant"
 - k. "failure to object to argument that misled the jury as to what evidence was presented (i.e. "if I could blow this up you would see that this is the bag" and "if we did do a DNA test they might have found some – whose DNA might they have found? Well, Mr. Johnson's first of all.")"
2. "Evidence discovered after trial."
 - a. "Evidence discovered after trial (mishandled evidence)."

During the evidentiary hearing Applicant stated that he wanted to abandon the allegation of newly discovered evidence.

SUMMARY OF TESTIMONY PRESENTED

At the evidentiary hearing, Applicant testified on his own behalf. The State presented testimony from Johnny Watson, Sr., Esquire. (hereinafter "Trial Counsel"). This Court also had before it a copy of the trial transcript, the Aiken County Clerk of Court records, Applicant's South Carolina Department of Correction records, appellate records, the PCR application, and return.

At the beginning of the evidentiary hearing, PCR Counsel moved for a continuance. This matter had previously been continued from the January 2015 term of court, and this court denied the motion.

During the evidentiary hearing, Applicant testified that he was charged in December 2007 with trafficking cocaine 200-400 grams and possession with intent to distribute cocaine within ½ mile of a school or park. Applicant stated his trial was in March 2009. Applicant stated he was initially represented by Christopher Hart, but he retained Trial Counsel about a month before trial. Applicant stated he met with Trial Counsel approximately four times prior to trial. Applicant stated the meetings lasted an average of forty-five minutes, and in Applicant's opinion, he did not have enough time to meet with Trial Counsel prior to his trial.

Applicant stated he told Trial Counsel his version of events. Specifically, Applicant stated that he did not own or ever possess cocaine. Applicant stated fingerprint evidence would have shown that he did not touch the bag. Applicant stated Trial Counsel should have requested a continuance to investigate into alleged misconduct by the police officers involved in the case.

Applicant also complained about the way in which Trial Counsel handled a motion to suppress the arrest warrant. During the motion hearing, Trial Counsel argued that Applicant was never cited for speeding, which was the basis for the stop, and therefore the officers did not have probable cause. Applicant stated Trial Counsel did not have case law to cite to the trial judge and that Trial Counsel antagonized the judge by filing a motion without supporting case law.

Applicant also stated that Trial Counsel failed to review chain of custody documents with him prior to trial regarding the black bag. Applicant expressed concerns that Investigator Turner claimed to have he never handled the black bag, yet Clay Adams testified that he received the bag from Investigator Turner. Applicant stated that either Investigator Turner or Clay Adams was lying. However, on cross-examination, Applicant conceded that Investigator Turner testified that he gave Clay Adams the black bag for fingerprint analysis. Applicant believed the bag should not have been introduced due to the lack of chain of custody.

Additionally, Applicant stated Trial Counsel failed to provide him with fingerprint evidence and that he and Trial Counsel never discussed using the lack of fingerprint evidence as a theory of defense. Applicant complained that Trial Counsel should have objected to testimony that indicated there were no fingerprints on the bag.

Applicant also stated Trial Counsel was ineffective for failing to request a mere presence jury charge and for failing to request a charge that trafficking is an enhanced possession. However, on cross-examination, Applicant conceded that the trial court charged the jury on mere presence. Applicant further stated Trial Counsel should have objected to the solicitor's closing argument requesting that the jury disregard the officer's comments about pinning all drugs found in the area on Applicant. However, on cross-examination, Applicant conceded that Trial Counsel did object to various portions of the solicitor's closing arguments. Applicant stated

Trial Counsel failed to object to solicitor's closing argument that vouched for the canine officer, Fila. Specifically, Applicant stated the solicitor told the jury that Fila did not know Applicant nor had she seen the black bag containing the drugs. Applicant further stated Trial Counsel should have objected to solicitor's closing argument where she argued that had DNA been tested then it would have come back as a match to Applicant. However, on cross-examination, Applicant conceded that Trial Counsel had objected to the solicitor's argument and was overruled by the trial judge.

Applicant stated that Appellate Counsel filed an Anders brief. Applicant stated that he was given an opportunity to raise any additional allegations that he wanted the Court of Appeals to review. Applicant stated he did file a *pro-se* response raising additional issues, but could not specifically recall which issues he raised.

Following Applicant's testimony, Trial Counsel was called to testify by the State. Trial Counsel stated that he has been practicing law since 1983 and that he has tried multiple drug cases. Trial Counsel stated that he filed for and reviewed all Rule 5 and Brady material with Applicant. Trial Counsel could not recall whether the discovery material contained the chain of custody. However, Trial Counsel stated that the chain of custody was not an issue in this case because Applicant claimed he never possessed the bag. Trial Counsel stated he requested a continuance and it was denied. Trial Counsel stated that he could always use more time to prepare a case, but the Solicitor was adamant that the case go forward. Trial Counsel stated he met with Applicant at least four separate times. Trial Counsel stated he investigated the scene and visited the shed where the drugs were found.

Trial Counsel stated that he did not feel it was necessary to provide case law on probable cause to the trial judge during the motion to suppress because he was relying on basic principles

of probable cause. Trial Counsel stated he attempted to suppress the drugs due to a lack of probable cause because Applicant was never cited for speeding. According to Trial Counsel, he was prepared to make the motion.

Trial Counsel stated that he discussed trial strategy with Applicant prior to trial. Specifically, Trial Counsel stated it was his strategy to argue that the State could not prove that the drugs were Applicant's.

Trial Counsel stated he investigated into the police misconduct, and during the trial, counsel continually brought up the officer's statement that the police were going to pin any drugs found in the area on the Applicant. Trial Counsel stated that he thoroughly cross-examined the officers regarding any alleged misconduct. Trial Counsel further stated that he researched the drug dog issue and felt he cross-examined the officers regarding the "open air sniff" technique employed in Applicant's case.

Trial Counsel stated that the lack of fingerprint evidence helped Applicant's case. Trial Counsel stated he continuously argued to the jury that the Applicant's fingerprints were not found on the black bag that he had allegedly possessed. However, Trial Counsel pointed out that Applicant's case was deficient because Applicant was on video holding a black bag.

Trial Counsel stated that he was unaware of any case law regarding a jury charge for enhanced possession. Trial Counsel stated that his strategy is not to continually object during solicitor's closing argument, and he will object only when he believes the solicitor says something that could potentially be damaging. Trial Counsel further pointed out that the trial judge instructed the jury that opening/closing arguments are not evidence.

Trial Counsel stated that he made a constructive possession argument because no one could place the drugs in the Applicant's hands. Trial Counsel stated the Solicitor offered

Applicant a twenty-year plea offer prior to the start of trial; however, Applicant refused to accept the plea deal. Trial Counsel stated he filed a notice of appeal as requested by Applicant.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has had the opportunity to review the record in its entirety and has heard the testimony at the post-conviction relief hearing. This Court has further had the opportunity to observe the witnesses presented at the hearing, closely pass upon their credibility, and weigh their testimony accordingly. Set forth below are the relevant findings of facts and conclusions of law as required pursuant to S.C. Code Ann. §17-27-80 (1985).

INEFFECTIVE ASSISTANCE OF TRIAL COUNSEL

In a post-conviction relief action, the applicant has the burden of proving the allegations in the application. Rule 71.1(e), SCRCP; Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Where ineffective assistance of counsel is alleged 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, (1984); Butler, 286 S.C. 441, 334 S.E.2d 813 (1985).

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Butler, 286 S.C. 441, 334 S.E.2d 813 (1985). The applicant must overcome this presumption 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. First, the Applicant must prove that counsel's performance was deficient. Under this

prong, attorney performance is measured by its "reasonableness under professional norms." Cherry, 300 S.C. at 117, 385 S.E.2d at 625 (citing Strickland). Second, counsel's 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." Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625.

Counsel was prepared for trial

Applicant argues that he received ineffective assistance of counsel because Trial Counsel failed to adequately prepare for trial. I disagree. Applicant argued that Trial Counsel should have investigated into the police misconduct.

However, Applicant's bare assertion that Trial Counsel failed to investigate his case - without more - is insufficient to meet his burden of proof. See Moorehead v. State, 329 S.C. 329, 496 S.E.2d 415 (1998) ("Failure to conduct an independent investigation does not constitute ineffective assistance of counsel when the allegation is supported only by mere speculation as to the result."); See also Palacio v. State, 333 S.C. 506, 513, 511 S.E.2d 62, 66 (1999) (holding that, since the contents of challenged documents were not presented at the PCR hearing, the Applicant could not demonstrate how the failure of counsel to obtain these documents prejudiced the defense).

Furthermore, Trial Counsel credibly testified that he met with Applicant at least four separate times he reviewed the scene, he reviewed the discovery material, and he discussed trial strategy with Applicant prior to trial. The trial transcript reveals that Trial Counsel vigorously cross-examined the police officers about their alleged misconduct, and during closing, Trial Counsel argued that there was police misconduct. (Tr. p. 366-367). Accordingly, Applicant has failed to present sufficient evidence to prove the first prong of the Strickland test - that Trial

Counsel failed to render reasonably effective assistance under prevailing professional norms. Furthermore, Applicant has failed to present specific and compelling evidence that Trial Counsel committed either errors or omissions that prejudiced the Applicant and therefore failed to prove the second prong of Strickland as well.

Continuance

Applicant next argues allegation that he received ineffective assistance of counsel due to trial counsel's failure to request a continuance. I disagree.

Trial Counsel credibly testified that he requested a continuance off the record and the continuance was denied. The grant or denial of a continuance is in the sound discretion of the trial court, and the reversal of a trial court's denial of a continuance is "as rare as the proverbial hen's teeth." State v. Williams, 321 S.C. 455, 459, 469 S.E.2d 49, 51-52 (1996). Accordingly, Trial Counsel was not deficient for failing to seek a continuance on the record, and even if he was, Applicant was not prejudiced.

Trial Counsel was prepared for the motion to suppress

Applicant argues that Trial Counsel was ineffective for failing to provide the judge with case law on probable cause during the motion to suppress. I disagree.

At the PCR hearing, Applicant failed to present any case law or arguments in support of his allegation. See Skeen v. State, 325 S.C. 210, 481 S.E.2d 129 (1997) (holding applicant not entitled to relief where no evidence presented at PCR hearing to show how additional preparation would have had any possible effect on the result at trial). Accordingly, Applicant has failed to present specific and compelling evidence that he was prejudiced by Trial Counsel's performance.

Chain of Custody

Applicant argues that he received ineffective assistance of counsel because Trial Counsel did not object to the chain of custody regarding the black bag. I disagree.

As an initial matter, Applicant's allegation that the chain of custody was broken because Phillip Turner never testified that he gave the black bag to Clay Adams is factually inaccurate. Phillip Turner testified that he "signed the black bag out of evidence and took it directly to Lieutenant Adams." (Tr. t. p. 328 lines 4-11). Furthermore, the black bag is a non-fungible item which does not require strict a chain of custody. See State v. Freiburger, 366 S.C. 125, 134, 620 S.E.2d 737, 741-42 (2005) ("While the chain of custody requirement is strict where fungible evidence is involved, where the issue is the admissibility of non-fungible evidence—that is, evidence that is unique and identifiable—the establishment of a strict chain of custody is not required: If the offered item possesses characteristics which are fairly unique and readily identifiable, and if the substance of which the item is composed is relatively impervious to change, the trial court is viewed as having broad discretion to admit merely on the basis of testimony that the item is the one in question and is in a substantially unchanged condition."). Accordingly, Trial Counsel's performance was neither deficient nor prejudicial.

Fingerprint Evidence

Applicant next argues that Trial Counsel was ineffective for failing to object to the lack of fingerprint evidence found on the black bag. I disagree.

Trial Counsel testified it was his strategy to argue that the lack of Applicant's fingerprints on the black bag meant he never possessed the bag. Trial Counsel must be given leeway to make reasonable strategic decisions. No particular set of detailed rules for counsel's conduct can satisfactorily take account of the variety of circumstances faced by defense counsel or the range of legitimate decisions regarding how best to represent a criminal defendant. Strickland v. Washington, 466 U.S. 668, 688-689 (1984). "Representation is an art, and an act or omission that is unprofessional in one case may be sound or even brilliant in another." Id. at 691. Therefore,

judicial scrutiny of counsel's performance must be highly deferential. Id. at 689. Where counsel articulates a valid strategic reason for his action or inaction, counsel's performance should not be found ineffective. Roseboro v. State, 317 S.C. 292, 454 S.E.2d 312 (1996); Underwood v. State, 309 S.C. 560, 425 S.E.2d 20 (1992); Stokes v. State, 308 S.C. 546, 419 S.E.2d 778 (1992). Courts must be wary of second guessing counsel's trial tactics; and where counsel articulates a valid reason for employing such strategy, such conduct is not ineffective assistance of counsel. Whitehead v. State, 308 S.C. 119, 417 S.E.2d 529 (1992).

Here, Trial Counsel's strategy was reasonable. Accordingly, Applicant has failed to present sufficient evidence to prove the first prong of the Strickland test – that Trial Counsel failed to render reasonably effective assistance under prevailing professional norms.

Jury Charge.

Applicant argues that Trial Counsel was ineffective for failing to object to the trial court's charge on trafficking as an enhanced possession and circumstantial evidence charge. Applicant further argues that Trial Counsel should have requested a mere presence charge. The trial court's jury charge reflects the current and correct law and included a charge on mere presence. (Tr. t. p. 421 lines 9-22). Accordingly, Applicant has failed to present sufficient evidence to prove trial counsel's representation was deficient.

Closing Arguments.

Finally, Applicant argues Trial Counsel was ineffective for failing to object when the solicitor argued at closing that Applicant's DNA would have been found on the black bag had a DNA test been conducted. I disagree. Trial Counsel objected to this argument and his objection was overruled. (Tr. p. 402, line 23-p. 403, line 5). To the extent Applicant argues that Trial Counsel should have continued to object, I find that counsel articulated a valid strategic reason

for not doing so (futility and a desire not to draw more attention to the argument). See Roseboro v. State, 317 S.C. 292, 454 S.E.2d 312 (1996) (explaining that where counsel articulates a valid strategic reason for his action or inaction, counsel's performance should not be found ineffective).

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, this Court finds the Applicant failed to present any testimony, argument, or evidence at the hearing regarding such allegations. Accordingly, this Court finds the Applicant has abandoned any such allegations.

[signature to follow]

CONCLUSION


Based on the foregoing, this Court finds that the Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

This Court notes that that Applicant must file and serve a notice of appeal within thirty days from the receipt by counsel 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 (1991), an Applicant has a right to an appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRCR, provides that if the applicant wishes to seek appellate review, post-conviction relief counsel must serve and file a Notice of Appeal on the Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

1. The Application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. The Applicant is remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 30th day of June, 2015.


TANYA A. GEE
Presiding Judge
Second Judicial Circuit

Columbia, South Carolina

FORM 4

**STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE
CASE NUMBER 2012CP0202248**

Trevis Eugene Johnson	South Carolina State Of
-----------------------	-------------------------

PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> 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. See Page 2 for additional information.
- 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:

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 JUDGMENT 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 (List amount(s) below)

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		

7/6/2015

This judgment was entered on 6 July, 2015, and a copy mailed first class or placed in the appropriate attorney's box on 6 July, 2015, to attorneys of record or to parties (when appearing pro se) as follows:

Courtney Clyburn Pope PO Box Q Aiken, SC 29802

Megan Harrigan Jameson PO Box 11549 Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

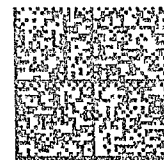
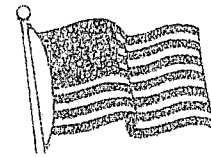
ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Liz Godard by Apri Bracco/DC
Liz Godard - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



UNITED STATES
02
0000
MAIL

CPPLAW
PO BOX Q
AIKEN SC 29802

Supreme Court of South Carolina
Post Office Box 11330
Columbia SC 29211