STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Anderson County

Carmen T. Mullen, Circuit Court Judge

WALTER CHASE ALLEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000438

PETITION FOR WRIT OF CERTIORARI

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ISSUE PRESENTED

Whether Petitioner's Sixth Amendment rights to the effective assistance of counsel were violated where defense counsel failed to call Petitioner's aunt, Joyce Means, as a witness when her testimony at the *Jackson v. Denno*[1] hearing would have undermined the credibility of the investigating officers by contradicting their contention that Petitioner arrived at the police station on his own and without being seized by law enforcement?

[1] *Jackson v. Denno*, 378 U.S. 368 (1964).

STATEMENT

On July 17, 2011, Chad Bell escaped from a juvenile detention facility in Greenville County with the assistance of Charles Robinson. App. 253 - 258. The two traveled to Honea Path in Anderson County. Once there Bell and Robinson started using methamphetamine and drinking heavily. *Id.*

Later on that night, Bell and Robinson went to Petitioner's house. With Petitioner now joining them, Bell and Robinson continued to use methamphetamine and drink. *Id.* In need of money, Bell and Robinson suggested that the group rob Bell's grandfather, Glenn Craft. *Id.* The three men had no car, but convinced a friend of Bell, Holly Whitfield to drive them. App. 256.

During the course of the robbery, Petitioner fatally shot Craft. App. 257. The group immediately fled Craft's residence. *Id.* After the shooting, the group disposed of their guns and the clothes worn during the robbery. *Id.* Whitfield drove the group to an abandoned apartment building where they stayed for the night. App. 259. Whitfield's father became suspicious after seeing her with Bell and Robinson and confronted her. App. 260. At her father's insistence, Whitfield went to police and was interrogated by Detective Todd Owens. *Id.*

Indictment

On October 25, 2011, the Anderson County Grand Jury indicted Petitioner for murder, armed robbery, and possession of a weapon during the commission of a violent crime. App. 389 - 390.

Pre-Trial *Denno Hearing*

On February 4-5, 2013, Petitioner proceeded to trial before the Honorable J.C. Nicholson and a jury. App. 1 - 280. Scott Robinson represented Petitioner and Assistant Solicitors Rame Campbell and Brantley Haigler represented the State.

Pre-trial, Robinson moved, pursuant to *Jackson v. Denno*, to suppress a series of statement's Petitioner made to police during questioning. App. 51, ll. 16 - 53, ll.20. The defenses argued that Petitioner did not feely and voluntarily provide the statements because Petitioner had sustained serious traumatic brain damage in a car accident several years prior that prevented him from understanding the implications of waiving his *Miranda*[2] rights. *Id.*

As a result of injuries to his frontal lobe, Petitioner had an IQ of sixty-eight with the approximate reading comprehension level of an eleven or twelve year old. App. 173 - 177. Petitioner was also deaf in his left ear and blind in his right eye. App. 167. The life-saving surgeries left Petitioner with two large prominent scars on the left side of his head from where doctors had placed a shunt to brain swelling. App. 142.

Testimony of Detective Thomas Johnson

Detective Johnson claimed that he was contacted by the Honea Path chief of police informing him that Petitioner was at their station. App. 55, ll. 1-21. Johnson recollected that he asked Petitioner, presumably over the phone, if "he would voluntarily like to come with me. . ." *Id.* Johnson claimed that Petitioner agreed. *Id.*

Johnson claimed to have no knowledge of how Petitioner came to be at the Honea Path police department, but believed that Petitioner had "showed up there and wanted to talk with them. App. 55, ll. 23 - 56, ll. 15. Despite purportedly not being in custody, Petitioner was given *Miranda* warnings. *Id.*

Johnson alleged that he had no reason to suspect that Petitioner may not have understood his *Miranda* warnings or that Petitioner did not understand that he could choose not to confess to the murder. App. 63. Johnson conceded that he was aware Petitioner had been in a serious car accident,

[2] *Miranda v. Arizona*, 384 U.S. 436 (1966).

but he denied ever observing anything that led him to believe Petitioner felt he was being coerced into providing a statement. App. 68 - 69

Johnson boasted that he applied "good coercion" on Petitioner in an effort to get him to confess. App. 70, ll. 17 - 71, ll. 23. Johnson further claimed that Petitioner was "pretty eager to answer any questions" that the police had. *Id.* Johnson claimed that another investigator, Todd Owens, summarized Petitioner's answers into a written statement that Petitioner signed. App. 72, ll. 6 - 73, ll. 20. Johnson conceded that the statement was not "verbatim" and that there were no recording devices in the interrogation room. *Id.*

Testimony of Todd Owens

Detective Owens was the lead investigator. App. 78. After interviewing Whitfield, Owens interrogated Petitioner. App. 82 - 85. Owens claimed that, as he asked more probing questions, Petitioner appeared to be getting more nervous and exhibiting signs of stress. *Id.* Owens stated that he noticed Petitioner's large scar, but that it did not cause him concern as he also has a large scar on his head. App. 106, ll. 7-24. Owens denied any knowledge of Petitioner's car accident. *Id.*

Once Petitioner starting talking about the night of the murder, Owens asked him if he would agree to make a written statement. App. 86 - 89. Petitioner agreed. Owens then typed a statement implicating Petitioner in the murder that Petitioner signed. *Id.* Like Johnson, Owens denied ever suspecting that Petitioner was mentally retarded and denied having any communication problems with him. App. 89.

Owens admitted that Petitioner had explained that he only had a - pre-accident - tenth grade education. App. 99. However, Owens contended that Petitioner was able to provide him with his social security number and home address, which Owens considered "a pretty good indication" that Petitioner did not have a mental impairment. App. 88, ll. 16-25.

On cross-examination, Owens acknowledged that Whitfield had provided him with "a large number of facts" regarding Petitioner's alleged involvement and that Petitioner's statement was substantially similar to Whitfield's recollection. App. 104 - 106. After adopting Owens' statement, Petitioner was officially taken into custody.

Testimony of Seven Reeves

Lieutenant Reeves administered a six person photographic line-up so that Petitioner could identify the man he knew only as "Weaver". App. 110 - 112. Petitioner identified Bell as "Weaver." App. 116, ll. 9 - 117, ll. 19. Petitioner was asked to circle the number of the photograph he identified, however Petitioner incorrectly circled the entire photograph. *Id.*

As with the other investigators, Reeves claimed that he never suspected Petitioner was mentally retarded or that he had any difficulty understanding what was being asked of him. App. 119 - 120. Nevertheless, as with Owens, Reeves typed an affidavit for Petitioner to sign regarding the identification, rather than allowing Petitioner to attempt to write a statement. App. 122, ll. 15 - 123, ll. 10. Reeves also admitted that he did not *Mirandize*. *Id.*

Testimony of Matthew Voigt

As part of his alleged confession, Petitioner was driven by Detective Voigt to where he had thrown his pistol into the Saluda River.[3] App. 124 - 126. Voigt reflected that, "there was nothing about [Petitioner] that struck me as out of the ordinary. He seemed like he was just wanting to cooperate with the investigation." App. 126, ll. 13-18.

Voigt claimed that, while they were in the car, Petitioner "blurted out" that he had "done went and shot that man in the face." App. 132, ll. 14-25. As with the other investigators, Vogit did

[3] The pistol recovered was the same caliber as the one used to kill Craft, but ballistic testing on the pistol recovered were inconclusive. App. 208, ll. 19 - 210, ll. 24.

not find anything unusual about Petitioner or suspect that Petitioner was mentally retarded. App. 135, ll. 5-12.

Testimony of David Price

Price was the only witness called by the defense during the *Denno* hearing. App. 137. Price, a forensic psychologist, and was retained by the defense to examine Petitioner. App. 140 - 142. Price began by detailing the brain damage Petitioner sustained during his car accident.. App. 141.

Price testified that first responders initially believed that Petitioner was going to be fatality, but after two months in a comma and multiple surgeries, Petitioner survived. App. 141 - 142. Price noted that, as a result of the accident, Petitioner is blind in his left eye and deaf in his right ear. App. 142, ll. 11-18.

Petitioner's brain injuries resulted in the "loss of significant skills" and a substantial diminution of Petitioner's cognitive functions.[4] *Id.* at ll. 22-25. Petitioner had an I.Q. of sixty eight, falling within the realm of mild-retardation, and the "academic skills of the sixth grade." App. 443, ll. 17-22. Petitioner reading comprehension level was even lower, approximating that of a fourth grader. App. 144, ll. 1-10.

Price specifically identified several sentences in the *Miranda* waiver that Petitioner would not have understood the implications of, such as, his right to stop the questioning at any time and ask for a lawyer. App. 144 - 145. Price's formal diagnosis was that Petitioner suffered from "dementia due to head trauma" and "had a loss in some of his ability to make judgments." App. 148, ll. 21 - 149, ll. 5.

[4] Price's additional diagnosis included that Petitioner was mildly retarded with a profound loss of his ability to make informed decisions. Petitioner also has a brain trauma induced mood disorder and suffers from polysubstance dependency as a result of his efforts to self-medicate in the wake of his accident. App. 150 - 155.

Price also diagnosed Petitioner had "frontal lobe syndrome" resulting in Petitioner being unable to understand the long-term implications of his actions. App. 153. Price noted that, when faced with a stressful situation, Petitioner would likely decompensate causing his judgment and appreciation for the implication of his actions to regress even further. App. 180, ll. 1-16.

Price opined that Petitioner's minor criminal record was "all post that brain injury. That changed him. Not only did it change him; it disabled him." App. 151, ll. 2-5. Price concluded that, "given his intellectual ability, the problems with judgment related to the frontal love injury, [Petitioner would be] acquiescent and he would . . . do whatever's asked of [him] without understanding the implications for doing that." App. 154, ll. 11-16. "

State's Summation Argument

Oddly, the State's argument in favor of the statements' admissibility focused on Petitioner's ability to know right from wrong and his criminal responsibility. App. 191; App. 193, ll. 20-25. The State argued by inference that because Petitioner had been found competent to stand trial, he was competent to waive his *Miranda* rights. *Id.*

The State placed great importance on their contention that Petitioner "freely and voluntarily went to the Honea Path Police Department" and "approached [law enforcement] on his own" initiative. App. 192, ll. 2-10. In the State's argument, police never coerced or pressured Petitioner into providing information, rather, Petitioner freely confessed to his involvement in the murder and confirmed in great detail Whitfield's earlier statements. App. 193 - 194.

Court's Ruling

The trial court ruled that there was no police coercion. App. 200, ll. 18-24. Specifically, the Court ruled that, under the totality of the circumstances, the fact that Petitioner had the comprehension of an eleven or twelve year old was sufficient to render the statements voluntary.

App. 201, ll. 2-25. Court noted, "I think a fifth grader would be able to understand the statement . . . . [A]s a whole, I think . . . a fifth-grader could understand it." *Id.* The court concluded that "the statement was a voluntary product of a free and unconstrained will of this defendant even though he was mildly retarded with an I.Q." of sixty eight. App. 202, ll. 1-14.

Guilty Plea

After failing to suppress the statements he made to police, Petitioner agreed to plead guilty to murder with the State agreeing to dismiss the weapons possession and armed robbery charge. App. 223, ll. 4-7.

Interestingly, during the Court's questioning to establish that Petitioner was guilty, but mentally ill the public defender's investigator and former law enforcement officer, Larry Baxter, stated that he had significant trouble communicating with Petitioner during the start of his investigation. App. 239 - 240. Specifically, Baxter testified that, by "***the third or fourth time, I could speak to him where we could have a conversation where he could understand what he was really facing.***" App. 237, ll. 3-7.

Baxter's statement stands in stark contrast to the unanimous claims by the investigators that none of them had any difficulty in communicating with Petitioner and never ever even suspected that Petitioner was mentally retarded. App. 63; App. 89; App. 119 - 120; App. 126; App. 135.

PCR Application

Petitioner filed an application for post-conviction relief on June 10, 2013. App. 282 - 290. Among the grounds for relief, Petitioner alleged that defense counsel was ineffective for failing to call his aunt, Joyce Means, as a witness during the *Denno* hearing. App. 284; App. 288 - 289. On December 31, 2013, the State filed a Return. App. 292 - 298.

Evidentiary Hearing

On December 1, 2014, a hearing was held before the Honorable Carmen T. Mullen. Hugh H. Welborn represented the State and Assistant Attorney General Walt Whitmire represented the State. Petitioner, Joyce Means, and defense counsel, Scott Robinson, all testified at the hearing.

Petitioner's Testimony

Petitioner testified that defense counsel was confident that Petitioner's statements to police would be suppressed. App. 306, ll. 11 - 307, ll. 1. Petitioner stated that defense counsel should have called his aunt, Joyce Means, to testify at the *Denno* hearing because she was with him when they were stopped by the Honea Path police. App. 312, ll. 2-13. Means would have testified that, contrary to the claims of the investigating officers, Petitioner was coerced into going to the police station. *Id.*

Testimony of Joyce Means

Means testified that she was present for Petitioner's trial and was willing to testify. App. 342 - 343. Means stated that had she been called during the *Denno* hearing, she would have testified that, "I had been with [Petitioner] when . . . we were pulled over. The morning that he was taken in, he did not go to the Honea Path Police Department and say, 'Here I am. I want to talk to y'all.' That was a lie." App. 343, ll. 12-18.

Means explained that she and Honea Path Chief of Police David King share a step-daughter. App. 344, ll. 2-11. The step-daughter called her on the morning after the murder and explained that law enforcement was looking for Petitioner and planning on arresting him for being an "accessory to murder." *Id.*

Upon hearing this, Means went to Petitioner's house and confronted Petitioner. App. 344 - 345. Petitioner became scared and asked if Means would take him to her house. *Id.* Means

agreed, however, as the two left Petitioner's house, Honea Path police pulled them over. App. 345, ll. 1-21.

After pulling over Means' car, the police asked Petitioner to come to the station with them. Petitioner did. *Id.* Means recalled, again contrary to police claims, that Petitioner was led away from her car in handcuffs. App. 346, ll. 9-23.

As this occurred early in the morning, Means was still in her pajamas. App. 345 - 346. She went home, changed, and returned to the police station, but Petitioner had already been taken away by law enforcement by the time she arrived. *Id.*

Means testified that since Petitioner's accident she had been his primary caretaker and that Petitioner's lack of cognitive skills and intellectual limitations are readily apparent to anyone that speaks to him. App. 347 - 349. Means also stated that Petitioner's car accident was a major local event in their small town and that she believed that law enforcement would have had to deliberately ignore the prominent scars on Petitoner's head. App. 347, ll. 11-17.

Testimony of Defense Counsel

Defense counsel testified that he had planned to call Means during the defense's case-in-chief, but that the guilty plea rendered that plan moot. App. 362. Counsel believed that Means' testimony "could have discredited possibly in the jury's eyes the officers because I think [Means] had a very strong opinion that they . . . knew about [Petitioner's] condition, they should not have done what they did. . . " App. 363, ll. 1-4.

Counsel further recalled that Petitioner decided to plea guilty after failing to suppress his statements to police. *Id.* at ll. 15-21. He also claimed that his primary "hope" in Petitioner's case was to have the court rule that Petitioner lacked the capacity to know right from wrong. App. 365.

On cross-examination, counsel reiterated that it was his intention to have Means testify in Petitioner's case-in-chief. App. 369, ll. 2-18. Counsel also agreed with the State that her testimony would have undermined the credibility of the officers who testified at the *Denno* hearing. *Id.* Counsel never explained why he did not call Means to testify at the *Denno* hearing.

Order of Dismissal

The Court denied Petitioner's application by a written order dated February 6, 2015. App. 374 - 388. The PCR court ruled that defense counsel was not ineffective for failing to call Means during the *Denno* hearing. App. 384 - 385.

The court supported its ruling by positing that had Means testified at the *Denno* hearing, the State "would have certainly been on notice of her eccentricities, thereby allowing the State to prepare to expose her." App. 385. This justification is odd, considering that defense counsel did not testify that Means' "eccentricities" were a concern for him. App. 363, ll. 5-21.

Further, the court summarily held that Means' testimony was immaterial to the issue of whether Petitioner's statements were freely and voluntarily made as Means was not with Petitioner when he made the statements. App. 385. Thus, the PCR court found that defense counsel was not ineffective.

ARGUMENT

Petitioner's Sixth Amendment rights to the effective assistance of counsel were violated where defense counsel failed to call Petitioner's aunt, Joyce Means, as a witness when her testimony at the *Jackson v. Denno*[5] hearing would have undermined the credibility of the investigating officers by contradicting their contention that Petitioner arrived at the police station on his own and without being seized by law enforcement.

Introduction

Determining whether Petitioner's statements were freely, voluntarily, and intelligently given, despite his intellectual disabilities, was the critical issue in Petitioner's case. At the *Denno* hearing, Petitioner presented overwhelming evidence that he had suffered a serious traumatic brain injury to his frontal lobe. Expert testimony established that Petitioner had the reading comprehension of an eleven or twelve year-old and an I.Q. of sixty-eight, which rendered him easily manipulated and eager to please. App. 173 - 177.

Despite these seemingly obvious deficiencies, all of the investigators incredibly claimed that they had no reason to suspect that he did not understand the implications of waiving his *Miranda* rights or that he failed to understand that he was confessing to murder. The State also emphasized that Petitioner had "arrived at the Honea Path police department on his own." App. 192, ll. 2-10.

Joyce Means, would have testified that the Honea Path police department was actively searching for Petitioner and that police stopped her vehicle while he was traveling with her and had him to come to the station. App. 343 - 345. Defense counsel's decision not to call Means during the *Jackson v. Denno* hearing deprived Petitioner of testimony that would have undermined the credibility of the investigators and that would have supported the defense's allegations of coercive police action. *Roseboro v. State*, 317 S.C. 292, 294, 454 S.E.2d 312, 313 (1995) (finding "counsel

[5] *Jackson v. Denno*, 378 U.S. 368 (1964).

must articulate a valid reason for employing a certain strategy to avoid a finding of ineffectiveness"). Defense counsel offered no strategic reason for his failure to call Means.

Therefore, the PCR court erred in holding that trial counsel provided effective assistance of counsel. App. 368; *See Strickland v. Washington*, 466 U.S. 668 (1984) (establishing the standard for ineffective assistance of counsel claims: a PCR applicant must show that counsel's performance was deficient and that the deficiency prejudiced the outcome of the proceedings).

Discussion

To establish ineffective assistance of counsel, the Petitioner must satisfy the two-prong test set forth in *Strickland*, 466 U.S. 668. "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).

"The second prong of the *Strickland* test requires a showing that the deficient performance prejudiced the defendant 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. The defendant is required to overcome the presumption that counsel was effective in order to receive relief." *Id.* at 118, 386 S.E.2d at 625 (internal citations omitted).

Thus, where ineffective assistance of counsel is alleged as a ground for PCR 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." *Butler v. State*, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985) (quoting *Strickland*, 466 U.S. at 692).

Deficient Performance

In this case, trial counsel's performance was deficient, as it fell below an objective standard of reasonableness. *See Strickland*, 466 U.S. at 687-88. Specifically, although trial counsel has the authority to make certain tactical decisions involving trial strategy without the defendant's consent, trial counsel's professed strategy was invalid under an objective standard of reasonableness. *See Roseboro*, 317 S.C. at 294, 454 S.E.2d at 313.

At the evidentiary hearing, defense counsel acceded to the State's suggestion that his decision not to call Means during the *Denno* hearing was, "I think it was part of the strategy as far as to discredit [the investigators], as all defense attorneys do, when it comes to actually trial. That was a strategy, part of the strategy. . ." App. 363, ll. 7-10.

This State sponsored justification is unavailing. *See Wood v. Allen*, 558 U.S. 290, 304, 130 S.Ct. 841, 175 L.Ed.2d 738 (2010) (emphasizing distinction between whether counsel made a strategic decision in the first place and whether a strategic decision is a reasonable exercise of professional judgment); *Wiggins v. Smith*, 539 U.S. 510, 526–27 (2003) (court's invocation of the "strategic decision" doctrine to justify counsel's failures "resembles more a post hoc rationalization of counsel's conduct than an accurate description of [counsel's] deliberations"). Counsel did not explain why he believed the investigators' credibility was irrelevant to the *Denno* hearing. *Cf. Stokes v. State*, 308 S.C. 546, 419 S.E.2d 778 (1992) (trial counsel made reasonable strategic decision in calling the only witness he believed was credible).

Unlike in *Stokes,* defense counsel freely conceded that Means was going to testify during the defense's case-in-chief and that he believed her testimony would undermine police credibility on the issue of coercion. App. 363, ll. 7-10. Defense counsel never testified that he had any reservations regarding Means' bias, "eccentricities," or exhibited any concern about revealing his fairly obvious

strategy to the State. Accordingly, references to these factors in the order of dismissal are without support in the record. App. 385.

Therefore, the PCR court erred in finding that, defense counsel's failure to call Means to testify at the *Denno* hearing was a "matter of trial strategy" and an objectively reasonable exercise of counsel's professional judgment. App. 384 - 385; *See Strickland*, 466 U.S. at 687-688.

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).

Whether Petitioner's statements, were freely, voluntarily, and intelligently entered into was the most important legal issue in Petitioner's case. After the statements were ruled admissible, Petitioner pled guilty. App.__. It was the subject of a day-long *Denno* hearing, during which Petitioner produced extensive expert witness testimony on his mental infirmities and reduced cognitive functions.

The State completely relied on the four investigating officers. All of whom stated - with remarkable consistency - that they believed Petitioner was freely and knowingly providing them with a confession to murder. App. 63; App. 89; App. 119 - 120; App. 126; App. 135. Despite twice going to significant lengths to avoid having Petitioner write his own statement, none of them claimed that they ever suspected that Petitioner was mildly retarded with the reading comprehension level of an eleven year old. App. 86 - 89; App. 122.

The State stressed that Petitioner had presented himself to the Honea Path police department "on his own" and indicated that he wished to speak with law enforcement. App. 192, ll. 2-10. Means would have testified that far from turning himself in to confess, she and

Petitioner were stopped by the Honea Path police and Petitioner was "asked" to come to the police station with promises that he would be returned home shortly. *Id; see Whren v. United States*, 517 U.S. 806, 809 (1996) (the "temporary detention" of individuals during an automobile stop by police constitutes a "seizure" within the meaning of the Fourth Amendment).

Importantly, by the time Petitioner was seized, investigators already had Whitfield's account of the murder. App. 82 - 85. The promise to return Petitioner to his aunt after a brief questioning was as disingenuous as law enforcement's contention that Petitioner was not a suspect when he was taken to the Honea Path police department.

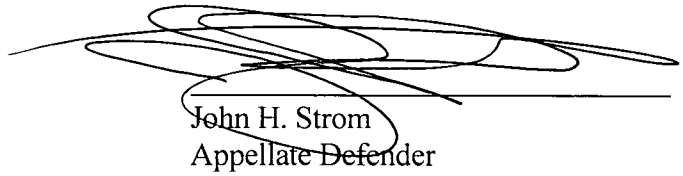
Accordingly, Means' testimony would have significantly undermined the credibility of the investigators and would have provided evidence that Petitioner's interrogation was far more coercive than law enforcement intimated to the court.

Therefore, the PCR court erred in finding trial counsel provided effective assistance of counsel because "there is a reasonable probability that, but for [trial] counsel's unprofessional errors, the result of the proceeding would have been different." App. 384 - 385; *Cherry*, 300 S.C. at 118, 386 S.E.2d at 625 (internal citations omitted); *See Strickland*, 466 U.S. 668.

CONCLUSION

Based on the foregoing reason, Petitioner, Walter Chase Alley, respectfully requests that his petition for writ of certiorari be granted to allow full briefing on the issue.

Respectfully submitted,



John H. Strom
Appellate Defender

ATTORNEY FOR PETITIONER

This 13th day of October, 2015.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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RESPONDENT

APPELLATE CASE NO. 2015-000438

CERTIFICATE OF SERVICE

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 Patrick Schmeckpeper, Esquire this 13th day of October, 2015.

John H. Strom
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 13th day
of October, 2015.

_____(L.S.)
Notary Public for South Carolina

My Commission Expires: May 12, 2025.