

Keith Drayton, 312611
386 Redemption Way
McCormick, S.C, 29899

DATE September 28 2015

RE: CASE 2014-CP-42-2977

Dear Honorable Daniel E Shearouse South
Carolina Supreme Court:

Enclosed Please find for filing with in the
Office of the south carolina supreme court: Notice
of appeal, and affidavit of service, and written
explanation Rule 243(c) SCRPC appellate court
rules. Also find Exhibits (A), (B), (c) and sentence
Sheet 04-GS-42-4703).

Respectfully Submitted
s/ Keith Drayton
Keith Drayton, 312611

RECEIVED

OCT 14 2015

S.C. SUPREME COURT

C:C:K:D:

C:C:H:D:E:S:S:C:3:C:

C:C:A:G:O:P:L:S:

The State of South Carolina
In The Supreme Court

Appeal from Spartanburg County
court of common pleas

R. Keith Kelly, circuit court Judge

case NO: 2014-CP-42-2977

Keith Drayton # 312611... Appellant

RECEIVED

OCT 14 2015

VS.
State of South Carolina... Respondant

S.C. SUPREME COURT


Notice of Appeal

The appellant Keith Drayton 312611, take this appeal from the case captioned above. The order in this case was entered on September 9TH. 2015. Notice of entry of this Case was received on September 14, 2015.

Date September 28 2015

Patrick L. Schmeckpeper
Staff Attorney

Post Office Box 11549
Columbia, S.C, 29211-1549

S/ 

Keith Drayton 312611
386 Redemption Way
McCormick, S.C 29899

State of South Carolina
In the Supreme Court

Appeal from Spartanburg County
court of common pleas

R. Keith Kelly, circuit court Judge

RECEIVED

Case NO: 2014-CP-42-2977

OCT 14 2015

Keith Drayton 312611... Appellant

S.C. SUPREME COURT

VS

State of South Carolina... Respondant

Affidavit of Service

The pro, se appellant does here by certify that he has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of the same to them in the United States mail, with sufficient postage affixed there to and return address clearly marked on the date indicated below:

Parties Served:

S/ Keith Drayton

Keith Drayton

Date September 28 2015

Patrick L. Schmeckpeper

Staff Attorney

post office Box 11549

Columbia, S.C 29211-1549

Spartanburg County

Spartanburg County Court House
180 Magnolia Street
P. O. Box 3483
Spartanburg, SC 29304-3483

Phone (864) 596-2591
Fax (864) 596-2239



M. Hope Blackley
Clerk of Court

May 14, 2015

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF SPARTANBURG

Keith Draughn #312611

7TH JUDICIAL CIRCUIT

Applicant

CASE # 2014CP10-2977

VS
State

CERTIFICATE OF SERVICE

Respondent

I certify that, on this date, I served a copy of the Original Pet. Dismissal
in this action dated May 13, 2015 on May 14, 2015

By mailing to him/her, at his/her last known address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

Suzanne White
Abby Harwell
Keith Draughn

5-14-15

(Date)

Cecilia Seuf
(Signature)



RECEIVED

MAY 21 2015

GENERAL COUNSEL

MCCormick

ALAN WILSON
ATTORNEY GENERAL

May 15, 2015

David M. Tatarsky, General Counsel
Attn: Tina Kellett
South Carolina Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221-1787

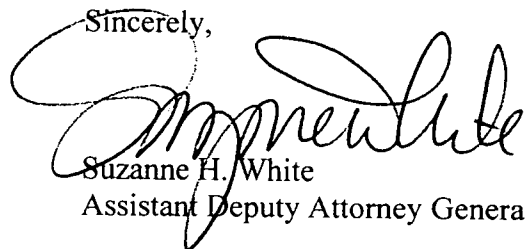
Re: Keith Drayton, #312611 v. State of South Carolina
2014-CP-42-2977

Dear Ms. Kellett:

Enclosed please find the **Conditional Order** dismissing the above-captioned inmate's post-conviction relief application. Please serve the inmate, **Keith Drayton, #312611**, with the order and provide me with an affidavit of service (enclosed).

If you have any questions, please feel free to call: (803) 734-3737.

Sincerely,



Suzanne H. White
Assistant Deputy Attorney General

SHW/ah
Enclosures

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

Keith Drayton, #312611)
Applicant.)

2014-CP-42-2977

v.)
v.)

CONDITIONAL ORDER OF DISMISSAL

State of South Carolina,)
Respondent.)

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed by Keith Drayton (Applicant) on August 1, 2014, and the Amendment filed thereto. Respondent made its Return, requesting the application be summarily dismissed.

I. PROCEDURAL HISTORY

Applicant is presently incarcerated with the South Carolina Department of Corrections pursuant to the Spartanburg County Clerk of Court's orders of commitment. The Spartanburg County Grand Jury indicted Applicant at the November 2004 term of General Session for kidnapping (04-GS-42-4703), and criminal domestic violence of a high and aggravated nature (CDVHAN) (04-GS-42-4704). John G. Reckenbeil, Esquire, represented the Applicant.

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On September 1, 2006, a jury convicted the Applicant of these charges. The Honorable Roger L. Couch sentenced the Applicant to confinement for life without parole for kidnapping and ten (10) years for CDVHAN, both sentences running concurrently.

A timely Notice of Appeal was filed on Applicant's behalf and an appeal was perfected. Applicant was represented by Chief Appellate Defender Joseph L. Savitz, III, who filed a Final Brief of Appellant. Respondent filed a Final Brief of Respondent. The South Carolina Court of

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Appeals affirmed Applicant's conviction and sentence in an unpublished opinion filed September 8, 2008 (S.C. Ct. App. 2008-UP-513). The Remittitur was issued on September 24, 2008.

2009-CP-42-04280

Applicant filed his first application for post-conviction relief on August 5, 2009, alleging that he is being held in custody unlawfully for the following reasons:

1. Ineffective assistance of trial counsel, in that;
 - a. Counsel failed to investigate
 - b. Counsel failed to prepare for trial
 - c. Counsel conceded Applicant's guilty in his closing argument
 - d. Counsel operated under a conflict;
2. Denial of 5th, 6th, and 14th Amendments; and
3. Denial of fair trial.

Respondent made its Return on or about December 17, 2009, An evidentiary hearing into the matter was convened on April 9, 2010, at the Spartanburg County Courthouse. Applicant was present at the hearing and was represented by Vanessa Cason, Esquire. By Order signed August 4, 2010, and filed August 5, 2010, the Honorable J. Derham Cole denied and dismissed the application with prejudice.

Applicant timely filed a notice of appeal and an appeal was perfected by LaNelle Cantey DuRant, Esquire, filing a Petition for Writ of Certiorari. Respondent filed a Return to Petition for Writ of Certiorari. By Order dated July 16, 2012, the South Carolina Supreme Court denied Applicant's petition. The Remittitur was sent August 1, 2012.

Current Application

In his second and current application for post-conviction relief, Applicant alleges he is being held unlawfully for the following reasons:

1. Ineffective Assistance of Counsel
 - a. "Trial counsel was ineffective and prejudice by failing to filed my timely notice of appeal. White v. State 208 S.E.2d & Davis v. State 342 S.E.2d 60."

- b. "Trial Counsel never reviewed applicant Motion of Discovery Rule (5) with the applicant before trial and counsel never release client file(s) that belong to client."
- 2. Newly Discovered Evidence
 - a. "Tamper with Evidence that lead to a fundamental miscarriage of justice."
- 3. Prosecutorial Misconduct
 - a. "...Solicitor did not have a search warrant to seize evidence and did not have a chain of custody...during the jury trial."
 - b. "Solicitor admitted evidence into the applicant jury trial. The same evidence that had been tampered with by the victim."

Before this Court are the records of the Spartanburg County Clerk of Court regarding Applicant's convictions, Applicant's records from the South Carolina Department of Corrections, Applicant's prior PCR and appellate records, Applicant's current PCR Application and Amendment, and Respondent's Return and Motion to Dismiss.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Successiveness

The Court finds that the current Application for post-conviction relief must be summarily dismissed because it is successive to the previous applications for post-conviction relief.

Code Ann. § 17-27-90 (1985) states:

All grounds for relief available to an applicant under this chapter must be raised in his original, supplemental or amended application. Any ground finally adjudicated or not so raised, or knowingly, voluntarily and intelligently waived in the proceeding that resulted in the conviction or sentence, or in any other proceeding the applicant has taken to secure relief, may not be the basis for a subsequent application, unless the court finds a ground for relief asserted which, for sufficient reason, was not asserted or was inadequately raised in the original, supplemental or amended application.

Successive applications are disfavored and the burden is on Applicant to establish that any new ground raised in a subsequent application could not have been raised by him in a previous application. Foxworth v. State, 275 S.C. 615, 274 S.E.2d 415 (1981); Aice v. State, 305

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S.C. 448, 409 S.E.2d 392 (1991); Arnold v. State/Plath v. State, 309 S.C. 157, 420 S.E.2d 834 (1992).

This Court finds that the current allegations could have been raised in prior proceedings based on Applicant's prior applications for post-conviction relief, and thus the current application is successive and barred under S.C. Code § 17-27-90. Applicant has failed to establish sufficient reason why he could not have raised his current allegations in his previous applications for post-conviction relief; therefore, he has failed to meet the burden imposed upon him. Land v. State, 274 S.C. 243, 262 S.E.2d 735 (1980); Aice v. State, 409 S.E.2d 392 (1991); Arnold v. State/Plath v. State, 420 S.E.2d 834 (1992).

Additionally, Applicant's allegation that he is entitled to a review under White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974), because his counsel failed to file a notice of appeal is without merit and does not excuse a successive application. An applicant who meets the burden of showing that the applicant did not knowingly and voluntarily waive his right to a direct appeal of his trial conviction is entitled to a belated appeal. White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974). In this case Applicant's trial counsel did file a notice of appeal and an appeal was perfected by Applicant's appellate counsel, Chief Appellate Defender Joseph L. Savitz, III, who filed a Final Brief of Appellant. The South Carolina Court of Appeals affirmed Applicant's conviction and sentence in an unpublished opinion filed September 8, 2008 (S.C. Ct. App. 2008-UP-513). Accordingly, Applicant's attempt to file a successive application seeking a White review is without merit and must be dismissed.

Statute of Limitations

The Court finds that this Application for post-conviction relief must also be summarily dismissed for failing to comply with the filing procedures of the Uniform Post-Conviction

Procedure Act. S.C. Code Ann. §17-27-10 to -160 (Supp. 2003). S.C. Code Ann. §17-27-45(a) reads as follows:

An application for relief filed pursuant to this chapter must be filed within one year after the entry of a judgment of conviction or within one year after the sending of the remittitur to the lower court from an appeal or the filing of the final decision upon an appeal, whichever is later.

The South Carolina Supreme Court has held that the statute of limitations shall apply to all applications filed after July 1, 1996. Peloquin v. State, 321 S.C. 468, 469 S.E.2d 606 (1996). Applicant withdrew his direct appeal and the remittitur was sent on September 19, 2005. This application was filed on May 19, 2014, after the statutory filing period had expired.

Summary dismissal of a PCR application is appropriate when the application is filed after the statutory filing period. Leamon v. State, 363 S.C. 432, 611 S.E.2d 494 (2003). In addition, S.C. Code Ann. § 17-27-70(c) (1985) authorizes the Court to "grant a motion by either party for summary disposition of [an] application when it appears from the pleadings...that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law." Therefore, Applicant failed to file within the time mandated by the Post-Conviction Procedure Act and Applicant's post-conviction relief application must be summarily dismissed.

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Newly Discovered Evidence

This Court finds that Applicant's claim of alleged "newly-discovered evidence" is vague and fails to make a prima facie showing that he is in actual possession of such evidence or how that evidence likely would have changed the outcome at trial. Under S.C. Code § 17-27-45(c), a newly-discovered evidence claim can be timely raised within one year of actual discovery or within one year of when, by the exercise of due diligence, such evidence *could have been* ascertained. Applicant's newly discovered evidence claims concern evidentiary issues from his trial. Applicant has failed to set forth why such alleged evidence was not readily discoverable at

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the time of his trial or his previous PCR action. Before the Court will hold an evidentiary hearing, the Applicant must make a prima facie showing that he is entitled to relief. Welch v. MacDougall, 246 S.C. 258, 143 S.E.2d 455 (1965); Blandshaw v. State, 245 S.C. 385, 140 S.E.2d 784 (1965). Applicant has failed to make such a prima facie showing that he is entitled to relief based on the information set forth and, therefore, he is not entitled to an evidentiary hearing in the matter. Accordingly, this matter must be summarily dismissed with prejudice.

Prosecutorial Misconduct

Applicant alleges that the prosecutor engaged in misconduct. Prosecutorial misconduct is not an issue for post-conviction relief. Rather, this allegation is a direct appeal issue that is procedurally barred by S.C. Code Ann. § 17-27-20(b) (2003). Post-conviction relief is not a substitute for an appeal. Simmons v. State, 264 S.C. 417, 423, 215 S.E.2d 883, 885 (1974). A post-conviction relief application cannot assert any issues that could have been raised at trial or on appeal. Drayton v. Evatt, 312 S.C. 4, 8, 430 S.E.2d 517, 520 (1993). This Court finds that Applicant's concerns regarding a search warrant, the chain of custody, and the prosecution's admission of certain evidence certainly could have been raised during the trial or on direct appeal. The failure to do so has waived this allegation as grounds for relief. Regardless, it is the applicant's burden to prove actual prosecutorial misconduct. Alabama v. Smith, 490 U.S. 794, 109 S. Ct. 2201 (1989). Accordingly, this Court finds that Applicant has not carried his burden of proving actual prosecutorial misconduct, and therefore, this allegation must be summarily dismissed.

Res Judicata

This Court finds that Applicant's allegations of ineffective assistance of trial counsel must be dismissed as barred by the doctrine of *res judicata*. *Res judicata* prohibits subsequent

actions by the same parties on the same issues. Bell v. Bennett, 307 S.C. 286, 414 S.E.2d 786 (Ct. App. 1992). A final judgment on the merits in a prior action bars subsequent consideration of those issues in a new action. Foran v. USAA Casualty Ins. Co., 311 S.C. 189, 427 S.E.2d 918 (Ct. App. 1993). *Res judicata* also bars any issues that could have been raised in the former action. Id.

Applicant had a full opportunity to litigate all claims regarding ineffective assistance of counsel in his prior PCR action. The public interest in finality of judgments requires that litigation must eventually come to an end. Pursuant to Rule 12(b)(6), SCRCP, these claims must be summarily dismissed as barred by *res judicata*.

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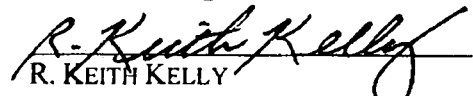
CONCLUSION

Pursuant to S.C. Code Ann. §17-27-70(b), the Court intends to dismiss this Application with prejudice unless Applicant provides specific reasons, factual or legal, why the Application should not be dismissed in its entirety. Applicant is granted twenty (20) days from the date of service of this Order upon him to show why this Order should not become final. Applicant shall file any reasons he may have with the Spartanburg County Clerk of Court and shall serve opposing counsel at the following address:

Office of the Attorney General
Justin J. Hunter, Esquire
PCR Division – 7th Circuit
P.O. Box 11549
Columbia, SC 29211

2015 MAY 13 PM 4:36
CLERK OF COURT
SPARTANBURG COUNTY

AND IT IS SO ORDERED this 13 day of May, 2015.


R. KEITH KELLY
Chief Judge for Administrative Purposes
Seventh Judicial Circuit

Spartanburg, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)
)
Keith Drayton, #312611,)
)
)
Applicant,)
)
)
v.)
)
State of South Carolina,)
)
)
Respondent.)

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

2014-CP-42-2977

FINAL ORDER

CLERK OF COURT
SPARTANBURG COUNTY
2015 SEP 10 AM 9:39
M. HOPE BLACILEY

PROCEDURAL HISTORY

This matter comes before the Court pursuant to an application for post-conviction relief (PCR) filed by Keith Drayton (Applicant) on August 1, 2014, and amended December 5, 2014.¹ Respondent made its Return and Motion to Dismiss on or about May 5, 2015, requesting that the Application be summarily dismissed. Pursuant to this request, and after reviewing the pleadings in this matter and all of the records attached thereto, this Court issued a Conditional Order of Dismissal filed and dated May 13, 2015, provisionally denying and dismissing this action, while giving the Applicant twenty (20) days from the date of service of said Order in which to show why the dismissal should not become final. Attached to this Final Order and incorporated herein by reference is an Affidavit of Service dated June 16, 2015, personally serving the above-mentioned Conditional Order of Dismissal on Applicant.

In a document captioned, "Pro Se Applicant Order and Response to Respondent Conditional Order of Dismissal," filed June 3, 2015, Applicant argues his application should not be summarily dismissed because he has discovered new evidence material to the issue of guilt or

¹ Applicant's amended application was originally filed as an independent PCR application. (2014-CP-42-5023). Respondent moved to merge both pending PCR applications into one action on or about April 8, 2015, requesting that the second of the two be treated as an amendment. On April 13, 2015, the Honorable R. Keith Kelly issued an Order granting Respondent's motion.

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innocence that was not previously available to him; and because the trial court lacked jurisdiction to sentence him to life without parole for kidnapping, because the maximum penalty for kidnapping is thirty (30) years.

CONCLUSIONS OF LAW

This Court has reviewed the original and subsequent pleadings and finds that a sufficient reason has not been shown why the Conditional Order of Dismissal should not become final. Concerning the “new evidence” Applicant introduces in his response to the Conditional Order of Dismissal, Applicant has failed to make a *prima facie* showing that he is entitled to relief based on after-discovered evidence. To obtain a new trial based on after discovered evidence, the party must show that the evidence:

(1) would probably change the result if a new trial is had; (2) has been discovered since the trial; (3) could not have been discovered before the trial; (4) is material to the issue of guilt or innocence; and (5) is not merely cumulative or impeaching.

See Clark v. State, 315 S.C. 385, 387-88, 434 S.E.2d 266, 267 (1993). Applicant appears to be alleging that one of the witnesses at trial, Officer Balderrama, perjured himself by claiming two pieces of evidence² were in his custody “at all times,” when in reality they had at one point been in the custody of one Officer Robert Rosenberg.³ This Court first notes that Applicant’s own transcription of the record does not support this allegation. According to Applicant, Officer Balderrama testified that the evidence was in the custody of the Spartanburg County Sherriff’s Office upon receipt, and that he only took possession of it the day before the trial. As a result, this Court can attribute no meaningful significance to the fact that someone else’s name was on the chain of custody report in the interim – over *two years* prior to the trial. Regardless of the veracity of his allegation, Applicant has failed to make a *prima facie* showing that he is entitled

² The baseball and knife Applicant used to attack the victim.

³ According to Applicant’s file exhibit, Officer Rosenberg’s name appears on the chain of custody on July 26, 2004 – *two years* prior to the trial and well before Officer Balderrama took custody for the purpose of appearing at trial.

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CLERK OF COURT
SPARTANBURG COUNTY
2015 SEP 10 AM 9:09
M. ROSENBERG
M. ROSENBERG
M. ROSENBERG

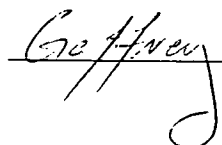
to an evidentiary hearing. Specifically, Applicant has not shown that the purported newly discovered evidence would probably change the result if a new trial were to occur; or that it is material to the issue of guilt or innocence.

Concerning Applicant's additional allegations raised in his response, this Court finds they are adequately dispensed with by the Conditional Order of Dismissal.

IT IS THEREFORE ORDERED that, for the reasons set forth in the Court's Conditional Order of Dismissal, the Application for PCR is hereby denied and dismissed with prejudice.

AND IT IS SO ORDERED this 9th day of September, 2015.


R. KEITH KELLY
Chief Administrative Judge
Seventh Judicial Circuit

, South Carolina.

CLERK OF COURT
SOUTH CAROLINA
2015 SEP 10 AM 9:39
M. HOPE BLACKLEY

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OCT 06 2014

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CLERK OF COURT
SPARTANBURG
M. HOPE BLANK
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Law Office of
John G. Reckenbeil

215 Magnolia Street (29306)
P.O. Box 1633 • Spartanburg, SC 29304
Phone: (864) 582-5472 • www.johnreckenbeillaw.com

TO:

Keith Drayton, 312611
386 Redemption Way
McCormick, SC 29899

John G. Reckenbeil
john@johnreckenbeillaw.com

Law Office of John G. Reckenbeil

Lawrence E. McNair, III
lee@johnreckenbeillaw.com

October 3, 2014

Keith Drayton, 312611
386 Redemption Way
McCormick, SC 29899

**RE: Keith Drayton
Office of Disciplinary Counsel Complaint – Matter No.: 14-DE-L-1198**

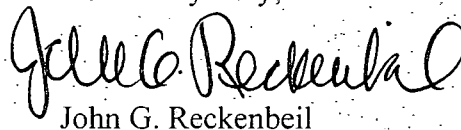
Dear Mr. Drayton:

I have received several letters to include the complaint you filed with the Supreme Court of South Carolina's Office of Disciplinary Counsel alleging that I have intentionally withheld your file. As I indicated to you in my previous letters, you have been given the original copies of your files for all charges that I have previously represented you on.

I have now paid out of my own pocket to have a duplicate copy of the complete file from the Solicitor's office. You will find enclosed all those documents. Please make no inference that this is an admission that you are correct. I assume this satisfies your request.

By copy of this letter, I am hereby notifying Mr. William Campbell of the same.

Yours very truly,


John G. Reckenbeil

JGR/kae

Enclosure

CC: William C. Campbell,
Assistant Disciplinary Counsel

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2014 DEC -5 PM 2:02
M. HOFF BLACKLETT

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF GENERAL SESSIONS
SEVENTH JUDICIAL CIRCUIT

The State of South Carolina,)
v.)
Keith Drayton)
Defendant.)

AFFIDAVIT OF DISCOVERY

Indictment No(s):
Warrant No(s): H666113-16
H666140, H781169,
H781170

PERSONALLY APPEARED BEFORE ME, the undersigned deponent who being duly sworn, says that he/she copied the following materials and provided same to the Defendant's attorney of record by:

HARD COPY; ELECTRONICALLY (e-mail); MEDIA (CD, DVD)


DOCUMENT	Page No.	DOCUMENT	Page No.
<input type="checkbox"/> Warrant(s) or Ticket(s)		<input type="checkbox"/> Forensic Report(s) (ID Reports)	
<input type="checkbox"/> Incident Report(s)		<input type="checkbox"/> Evidence Sheet(s)	
<input type="checkbox"/> Investigation Report(s)		<input type="checkbox"/> Photograph(s)	
<input type="checkbox"/> Supplemental Report(s)		<input type="checkbox"/> Line-up(s) & Affidavit	
<input type="checkbox"/> Waiver of Rights Form(s)		<input type="checkbox"/> Video/DVD	
<input type="checkbox"/> Voluntary Statement(s)		<input type="checkbox"/> SLED Request Form(s)	
<input type="checkbox"/> Witnesses Written Statement(s)		<input type="checkbox"/> Bond Sheet	
<input type="checkbox"/> Defendant's NCIC (Rap)		<input type="checkbox"/> Hospital Records	
<input type="checkbox"/> Consent to Search Form(s)		<input type="checkbox"/> EMS Records	
<input type="checkbox"/> Search Warrant and Return		<input type="checkbox"/> Mug Shot	
<input type="checkbox"/> Drug Report(s)		<input type="checkbox"/> Driver Records	
<input type="checkbox"/> SLED Lab Report(s)			
<input type="checkbox"/> Booking Report(s)			
<input type="checkbox"/> Solicitor's Reciprocal Rule 5			
<input type="checkbox"/> Other			

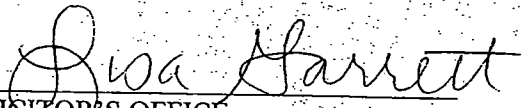
M. HOPE BIANCHI
2014 OCT 5 PM 2:02
SPARTANBURG COUNTY
CLERK OF COURT

TOTAL COPIED/NUMBERED: 62 DATED: 9-29-14

I, John Reckenbeil, attorney for the Defendant(s) or his/her designee, have reviewed the above-referenced Affidavit and/or documents and accept them as the response to the Rule 5/Brady Motion in this matter. I also accept service of the Solicitor's Reciprocal Rule 5.

Signed/Accepted this 30 day of September, 2014.


Attorney or Designee


SOLICITOR'S OFFICE

SWORN to before me this _____ day

of _____, 20____.

Notary Public for South Carolina
My commission expires: _____

FILED
CLERK OF COURT
SPARTANBURG COUNTY

2014 DEC - 5 PM 2:02

M. HOPE BLADKLEY



Spartanburg County Attorney's Office
P.O. Box 5666
Spartanburg, South Carolina 29304-5666

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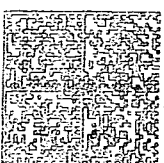
OCT 31 2014

MCCI
MAIL ROOM

Keith Drayton, 312611
386 Redemption Way
McCormick, SC 29899

RETURN SERVICE
REQUESTED

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 29303

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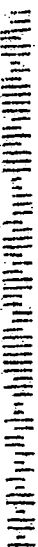


Exhibit (c)



County of Spartanburg

Post Office Box 5666
TELEPHONE (864)596-2526
Fax (864)596-2232
Spartanburg, South Carolina 29304

October 28, 2014

Keith Drayton, 312611
386 Redemption Way
McCormick, SC 29899

RE: Your request for information under the S.C. Freedom of Information Act (FOIA) for
A copy of "Chain of Custody Report Rule (6)."
Our File No.: 14-F0357

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2014 DEC -5 PM 2:02
M. HOPE BRACKLEY

Dear Mr. Drayton:

Please find enclosed our responsive documents regarding the above referenced matter. Please be advised that the Sheriff's Office is not aware of any chemical analysis done pursuant to Rule 6 and as such, no Chain of Custody Reports for chemical analysis are available.

Sincerely,

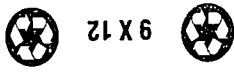
Katherine L. O'Neill
County Administrator

cc: Ginny Dupont, Deputy County Attorney (via e-mail only)
Kevin Bobo, County Sheriff's Department (via e-mail only)

Keith Drayton, 312611
366 Redemption Way
McCormick, S.C. 29899

Legal
Mail

South Carolina Supreme Court
Daniel E. Shearouse
P.O. Box 11330
Columbia, SC 29211



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