

The Supreme Court of South Carolina

Alonzo Key,

Petitioner,

v.

State of South Carolina,

Respondent.

The Honorable James R. Barber
Aiken County
Trial Court Case No. 2010-CP-02-02124

ORDER

For good cause shown, the request for an extension until May 9, 2012 to serve and file the Petition for Writ of Certiorari and Appendix is granted. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



Clerk

Columbia, South Carolina

April 10, 2012

cc: Deputy Chief Appellate Defender Wanda H. Carter
Assistant Attorney General Mary S. Williams

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Aiken County

James R. Barber, III, Circuit Court Judge

RECEIVED

APR 9 2012

S.C. Supreme Court

ALONZO KEY,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

(2)

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

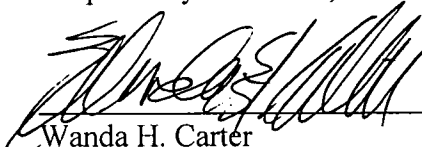
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel is preparing for an oral argument in the case of State v. Kevin J. Williams, Sr. in the Court of Appeals tomorrow, April 10, 2012. Additionally, Counsel is filing the petition for writ of certiorari and accompanying appendix in the case of Albert C. Smith, II v. State in the Supreme Court today, April 9, 2012. Counsel filed the petition for rehearing in the case of State v. Lewis D. Williams in the Court of Appeals on March 30, 2012. Counsel had an oral argument in the case of Brian Gebhard v. State in the Court of Appeals on March 29, 2012. Counsel filed the petition for writ of

certiorari and accompanying appendix in the case of Lenson Clyburn, Jr. v. State in the Supreme Court on March 26, 2012. Counsel filed petitions for writ of certiorari and accompanying appendices in the cases of Glenn Pernell v. State, Sylvester Toomer v. State and William Gladney Harden v. State in the Supreme Court on March 23, 2012. Counsel had an oral argument in the case of State v. Lewis Williams in the Court of Appeals on March 12, 2012. In February 2012, Counsel had oral arguments in the cases of State v. Otis Lamar Bland and State v. James Babb in the Court of Appeals, as well as an oral argument in the case of Benjamin Green v. State in the Supreme Court. Additionally in February, 2012, Counsel filed the petitions for writ of certiorari and accompanying appendices in the cases of Sherinette Wannamaker v. State, Henry Belton v. State, Tony Drayton v. State, William Hickman v. State and John E. Prigmore v. State. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lawrence Brown in the Court of Appeals in February, 2012 as well.

3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Wanda H. Carter
Deputy Chief Appellate Defender

April 9, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Aiken County

James R. Barber, III, Circuit Court Judge

ALONZO KEY,

PETITIONER,

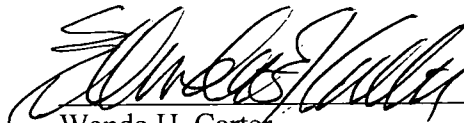
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

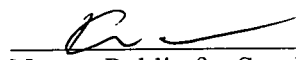
The undersigned attorney hereby certifies the petition in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Mary S. Williams, Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 9th day of April, 2012.



Wanda H. Carter
Deputy Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 9th day of April, 2012.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013 .

The Supreme Court of South Carolina

Alonzo Key,

Petitioner,

v.

State of South Carolina,

Respondent.

The Honorable James R. Barber
Aiken County
Trial Court Case No. 2010-CP-02-02124

ORDER

The request for an extension until April 9, 2012 to serve and file the Petition for Writ of Certiorari and Appendix is granted. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



Clerk

Columbia, South Carolina

March 12, 2012

cc: Deputy Chief Appellate Defender Wanda H. Carter
Assistant Attorney General Robert Corney



Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

RECEIVED

MAR 9 2012

S.C. Supreme Court

March 9, 2012

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

Re: Alonzo Key v. State of South Carolina

Dear Mr. Shearouse:

The petition for writ of certiorari and appendix in the above-referenced case are due to be served and filed today. Because of my present workload, I respectfully request a thirty-day extension of this deadline. No prior extensions have been requested in this case.

By copy of this letter, I am informing Mary S. Williams, Esquire, of the Office of the Attorney General, of this extension request.

Thanking you for your cooperation and assistance in this matter.

Sincerely,

Wanda H. Carter
Deputy Chief Appellate Defender

WHC/kam

cc: Mary S. Williams, Esquire



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

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Columbia, South Carolina 29211-1589
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

January 10, 2012

The Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
Post Office Box 11330
Columbia, SC 29211

Dear Mr. Shearouse:

The following case falls under the 60 day rule for appeals, and the date we received the transcript is listed to the side.

Alonzo Key v. State of South Carolina

1/9/2012

I would appreciate you beginning our time limits from the above date, and if you need additional information, or have any questions please contact me.

Thank you for your assistance in this matter.

Sincerely,

Sharon A. Graham
Administrative Coordinator

RECEIVED

JAN 10 2012

S.C. Supreme Court



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
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Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

RECEIVED

OCT 10 2011

October 10, 2011

S.C. Supreme Court

Ms. Cheri L. Young
Circuit Court Reporter
P O Box 1154
Aiken, SC 29802

Dear Ms. Young:

Please provide us with the following transcript:

Alonzo Key v. State of South Carolina Case #: 10-CP-02-02124

County: Aiken Date of Trial: July 13, 2010

Presiding Judge: James R. Barber, III

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

Sincerely,

Sharon A. Graham
Administrative Coordinator

cc: S.C. Supreme Court
Attorney General's Office

Law Offices

JOHNSON, JOHNSON & WHITTLE

Attorneys, P. A.

Post Office Box 2619

117 Pendleton Street, N.W.

Aiken, South Carolina 29802-2619

Telephone 803/649-5338

Fax 803/641-4517

August 31, 2011

E. Henderson Johnson Jr. (Retired)

Paige Weeks Johnson

Todd J. Johnson

Barry H. Johnson (1954-1995)

James E. Whittle Jr.

Brett H. Lancer



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

RE: Alonzo Key v. State of South Carolina
Case Number 2010-CP-02-2124

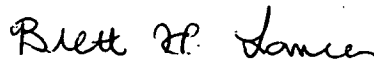
Dear Clerk:

Please find enclosed for filing a notice of appeal in the above case. I have also enclosed the following:

1. Proof of service of the notice of appeal on the respondent.
2. A copy of the order which is to be challenged on appeal.

Thank you for your assistance in this matter.

Yours truly,



Brett H. Lancer

BHL/rr

enclosures.

cc: Robert D. Corney, Esq.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-1549

Office of Appellant Defense
P.O. Box 11589
Columbia, SC 29211

RECEIVED

SEP 08 2011

RECEIVED S.C. SUPREME COURT

SEP 07 2011

S.C. SUPREME COURT

Brett H. Lancer
blancerpa@aikenattorneys.com

aikenattorneys.com

Johnson Law Firm
johnsonpa@bellsouth.net

RECEIVED
SEP 08 2011
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

James R. Barber, III, Circuit Court Judge

Case No. 2010-CP-02-2124

Alonzo Key, #192814..... Petitioner.

v.

The State, Respondent.

NOTICE OF APPEAL

The State of South Carolina appeals the Honorable James R. Barber, III's August 17, 2011, order denying post-conviction relief to the Respondent. Undersigned counsel received notice of entry of the order on August 31, 2011. A copy of the Order on appeal is attached to this notice.

Respectfully submitted,

August 31, 2011.

Brett H. Lancer
Brett H. Lancer
Post Office Box 2619
Aiken, South Carolina 29802
(803) 649-5338
Attorney for the Applicant

Other Counsel of Record:

Robert D. Corney, Esq.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-1549

RECEIVED
SEP 02 2011
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM AIKEN COUNTY
Court of COMMON PLEAS

James R. Barber, III, Circuit Court Judge

Case No. 2010-CP-02-2124

Alonzo Key, #192814..... Petitioner.

v.

The State, Respondent.

PROOF OF SERVICE

I certify that I have served the within Notice of Appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to its attorney of record, Robert D. Corney, Esq., Office of the Attorney General P.O. Box 11549, Columbia, SC 29211-1549. I further certify that all parties required by Rule to be served have been served this 31st day of August, 2011.

August 31, 2011

Brett H. Lancer
Brett H. Lancer
Post Office Box 2619
Aiken, South Carolina 29802
(803) 649-5338
Attorney for Petitioner

RECEIVED

SEP 02 2011

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

IN THE COURT OF COMMON PLEAS
FOR THE SECOND JUDICIAL CIRCUIT

2010-CP-02-2124

Alonzo Key, # 192814,)

Applicant,)

v.)

State of South Carolina,)

Respondent.)

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 as the same is on file in my office this
ORDER OF DISMISSAL

AUG 29 2011

Liz Godard
C.C.C.P. & G.A., Aiken County, S.C.
Sharon J. Jeter
Deputy Clerk

PROCEDURAL HISTORY

This matter comes before the Court by way of an Application for Post-Conviction Relief filed September 3, 2010. The Respondent made its Return on March 24, 2011. An evidentiary hearing into the matter was convened on Wednesday, July 13, 2011, at the Aiken County Courthouse. The Applicant was present at the hearing and was represented by Brett Lancer, Esquire. The Respondent was represented by Robert D. Corney of the South Carolina Attorney General's Office.

At the hearing, the Applicant testified on his own behalf. Also testifying was Applicant's trial counsel, C. David Hayes, Esquire ("counsel"). This Court also had before it a copy of the transcript of the proceedings against the Applicant, the records of the Aiken County Clerk of Court, the Applicant's records from the South Carolina Department of Corrections.

The records before this Court indicate that the 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 indicted for Possession with Intent to Distribute ("PWID") Cocaine Base (2010-GS-02-0458). Applicant was represented by Charles David

829 2011
Liz Godard
C.C.C.P. & G.S.
Sharon J. Jeter 829

Hayes, Esquire. On March 15, 2010, pursuant to a plea agreement, Applicant waived presentment and pled guilty to PWID within Proximity of a School.¹ The Honorable Doyet A. Early, III, sentenced him to the negotiated term of twelve (12) years, provided that upon the service of eight (8) years the balance would be suspended with probation for three (3) years. Applicant did not appeal his conviction and sentence.

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

1. Ineffective assistance of counsel.
 - a. "...failed to challenge warrantless enter of defendant's home and bedroom without probable cause."
 - b. "...failed to challenge warrantless seizure and arrest of person without probable cause to arrest."
 - c. "...failed to challenge warrantless search of house and seizure of contraband and drug evidence without probable cause."

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).

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,

¹ An additional charge of Possession of Cocaine Base (2010-GS-02-0459) was *nolle prossed* pursuant to the plea agreement.

466 U.S. 668, 104 S.Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (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.

With respect to guilty plea counsel, the Applicant must show that 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. In PCR cases, a defendant asserting a constitutional violation must frame the issue as one of ineffective assistance of counsel. Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (1999). A defendant who pleads guilty on the advice of counsel may collaterally attack the plea only by showing that (1) counsel was ineffective and (2) there is a reasonable probability that but for counsel's errors, the defendant would not have pled guilty and would have insisted on going to trial. Roscoe v. State, 345 S.C. 16, 546 S.E.2d 417 (2001). A

defendant alleging that his guilty plea was induced by ineffective assistance of counsel must prove that counsel's advice was not "within the competence demanded of attorneys in criminal cases." Hill v. Lockhart, 474 U.S. 52, 56, 106 S. Ct. 366, 369 (1985). A guilty plea is a solemn, judicial admission of the truth of the charges against the defendant. Statements made during the plea should be considered conclusive unless the defendant presents reasons why he should be allowed to depart from the truth of those statements. Crawford v. U.S., 519 F.2d 347 (4th Cir. 1975); Edmonds v. Lewis, 546 F.2d 566 (4th Cir. 1976).

Ineffective Assistance of Counsel

At the PCR hearing, Applicant testified he believed counsel was ineffective in his representation because he failed to properly contest the validity of the search done on Applicant's house and the warrant that was issued for that search. Specifically, Applicant stated he was never given a warrant at any time during his arrest or search of his home, and counsel was ineffective for not having a suppression hearing for this evidence. Applicant testified that he sent several letters to counsel to discuss a possible motion to suppress, and Chief Public Defender Grant Gibbons responded to one of the letters stating that counsel was working diligently on his case and the suppression hearing would have to be taken up the week of trial. Applicant alleged that had a suppression hearing been held, he would have had a better idea of what to do in relation to entering his plea. Additionally, Applicant alleges counsel did not properly review and/or contest the chain of custody of items obtained through a police ordered trash pull, but went on to say that counsel did review the chain of custody of the trash pull with him during one of their meetings. Additionally, Applicant testified that counsel did review the discovery file with him, although Applicant alleged he was never given a copy of the file to keep.

Upon taking the stand, counsel testified that he did a full review of the trash pull and found nothing to indicate that it was improper. Counsel went on to say he did extensive research into the timing for when a search warrant must be handed to a defendant and, had Applicant proceeded to trial, counsel had case law outlined that he intended to argue to suppress the evidence from the search and arrest. In regards to holding a suppression hearing, counsel testified that the solicitor's office had informed him if Applicant had a suppression hearing on the charges, all plea offers would be off the table after that. Counsel discussed those options with Applicant in depth and told Applicant they could pursue the suppression hearing if Applicant wanted to. Counsel went on to say he sent copies of the entire discovery to Applicant for him to keep in addition to reviewing the entire file with him during their meetings. Counsel stated this case had been pending for a long time and Applicant had sufficient time to decide whether to enter plea, but in the end, it was Applicant's voluntary decision to accept the plea offer from the solicitor.

Based on the facts and evidence presented at the hearing, this court finds Applicant failed to prove by a preponderance of the evidence that his trial counsel was ineffective. Further, this court finds counsel's testimony to be credible and Applicant's testimony to not be credible. Counsel advised Applicant of all relevant issues regarding the charges he was facing, including his constitutional rights, the facts giving rise to the charges, the potential sentences he was facing and the discovery file including all evidence against Applicant. Additionally, counsel gave Applicant all the information and advice to make an intelligent and voluntary decision on whether to enter this plea rather than proceed to a suppression hearing and subsequent trial. Further, I find that Applicant's guilty plea was entered knowingly and

voluntarily after being fully and adequately advised by competent counsel acting within the range of competence demanded of attorneys in criminal cases.

As discussed above, the Applicant has failed to carry his burden in this action. Therefore, this Court finds that the application must be denied and dismissed in its entirety.

CONCLUSION

Based on all the foregoing, this Court finds and concludes 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.

Except as discussed above, this Court finds that the Applicant failed to raise all additional allegations raised in his application at the hearing and has, thereby, waived them. A waiver is a voluntary and intentional abandonment or relinquishment of a known right. Janasik v. Fairway Oaks Villas Horizontal Property Regime, 307 S.C. 339, 415 S.E.2d 384 (1992). A waiver may be express or implied. "An implied waiver results from acts and conduct of the party against whom the doctrine is invoked from which an intentional relinquishment of a right is reasonably inferable." Lyles v. BMI, Inc., 292 S.C. 153, 158-59, 355 S.E.2d 282 (Ct. App. 1987). The Applicant's failure to address these issue at the hearing indicates a voluntary and intentional relinquishment of his right to do so. Therefore, any and all remaining allegations are denied and dismissed.

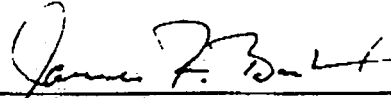
This Court advises Applicant that he must file and serve a notice of appeal within thirty (30) days from the receipt by counsel of written notice of entry of judgment to secure the appropriate appellate review. See Rule 203, SCACR. Pursuant to Austin v. State, 305 S.C. 453 (1991), an Applicant has a right to an appellate counsel's assistance in seeking review of the

denial of PCR. Rule 71.1(g), SCRCRCP, provides that if the applicant wishes to seek appellate review, PCR counsel must serve and file a Notice of Appeal on the Applicant's behalf. Your attention is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

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

AND IT IS SO ORDERED this 17 day of August, 2011.



James R. Barber, III
Presiding Judge
Second Judicial Circuit

Columbia, South Carolina.

STATE OF SOUTH CAROLINA)

COUNTY OF AIKEN)

Alonzo Key, 192814)

Plaintiff)

v.)

State Of South Carolina)

Defendant.)

IN THE COURT OF COMMON PLEAS

CASE NO.
2010-CP-02-2124

MOTION AND ORDER INFORMATION
FORM AND COVER SHEET

Plaintiff's Attorney: Brett Lancer, Bar No. Address: Post Office Box 2619 Aiken SC 29802 phone: fax: e-mail: other:	Defendant's Attorney: Robert Corney, Bar No. Address: Post Office Box 11549 Columbia SC 29211-1549 phone: (803) 734-3737 fax: (803) 734-4113 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	
August 9, 2011 Date submitted	
SECTION III: Motion Fee	
<input type="checkbox"/> PAID - AMOUNT: <input checked="" type="checkbox"/> EXEMPT: <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support (check reason) <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, SCRPC) <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	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other:	JUDGE: _____ CODE: _____ Date: _____
CLERK'S VERIFICATION	
Collected by: <u>Charlene</u>	Date Filed: <u>8-29-11</u>
<input type="checkbox"/> MOTION FEE COLLECTED: <u> </u> <input type="checkbox"/> CONTESTED - AMOUNT DUE: <u> </u>	<u>Liya Godard</u> C.C.P.&G.S. <u>Charlene</u>

STATE OF SOUTH CAROLINA

JUDGMENT IN A CIVIL CASE

COUNTY OF AIKEN

CASE NO: 2010CP0202124

IN THE COURT OF COMMON PLEAS

Alonzo Key vs. State Of South Carolina

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: _____

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; Statement of Judgment by the Court:

Dated at Aiken, South Carolina, this 29th day of August, 2011.

Court Reporter:

PRESIDING JUDGE -

This judgment was entered on the 29th day of August, 2011, and a copy mailed first class this 29th day of August, 2011, to attorneys of record or to parties (when appearing pro se) as follows:

Brett Lancer Attorney At Law P O Box 2619
Aiken, SC 29802

Mary Shannon Williams Attorney General Po Box
11549 Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Liz Godard by [Signature]

Liz Godard - Clerk of Court

