

Law Office of Leah B. Moody, LLC

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July 25, 2016

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JUL 29 2016

SC SUPREME COURT

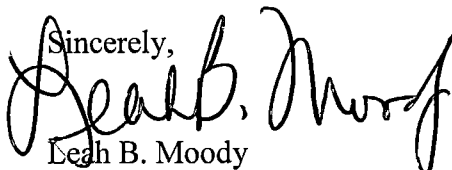
Mr. Daniel E. Shearouse
The Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29221

RE: Andrew Scott v. State of South Carolina
Case No.: 2014-CP-42-0304

Dear Mr. Shearouse:

The York County Court of Common Pleas appointed my office to represent Andrew Scott in his Post-Conviction Relief action. Please find enclosed for filing the original and two (2) copies of the Notice of Appeal, Proof of Service, and one (1) copy of the Order of Dismissal in the above-referenced case. Please return the clocked copies to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance with this matter.

Sincerely,

Leah B. Moody

Enclosure

cc Andrew Scott
Alicia Olive, Esquire
Sharon Graham, SCCID
Hope Blackley, Clerk of Court, Spartanburg County

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

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JUL 29 2016

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

SC SUPREME COURT

Honorable R. Ferrell Cothran, Jr., Presiding in Spartanburg County

Case No. 2014-CP-42-0304

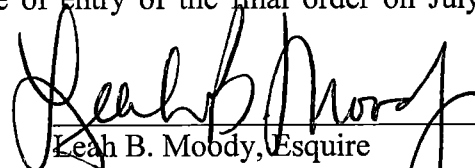
Andrew Scott, Appellant,

v.

State of South Carolina, Respondent.

NOTICE OF APPEAL

Andrew Scott appeals the order of the Honorable R. Ferrell Cothran, Jr., dated July 5, 2016. Appellant received written notice of entry of the final order on July 11, 2016.



Leah B. Moody, Esquire
Law Office of Leah B. Moody, LLC
235 E. Main Street, Suite 115
Post Office Box 1015
Rock Hill, South Carolina 29731

Other Counsel of record:
Alicia Olive, SC Attorney General's Office
Rembert C. Dennis Building
Post Office Box 11549
Columbia, South Carolina 29211-1549
(803) 734-3970

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

JUL 29 2016

SC SUPREME COURT

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Honorable R. Ferrell Cothran, Jr., Presiding in Spartanburg County

Case No. 2014-CP-42-0304

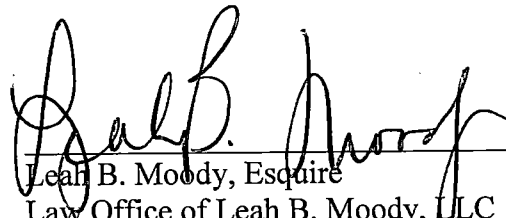
Andrew Scott, Appellant,

v.

State of South Carolina, Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Alicia Olive by depositing a copy of it in the United States Mail, postage prepaid, on July 25, 2016 addressed to its attorney of record, Alicia Olive, Post Office Box 11549, Columbia, South Carolina, 29211-1549.


Leah B. Moody, Esquire
Law Office of Leah B. Moody, LLC
235 E. Main Street, Suite 115
Post Office Box 1015
Rock Hill, South Carolina 29731

July 25, 2016

cc Andrew Scott
Sharon A. Graham
Hope Blackley, Clerk of Court, Spartanburg
Daniel Shearouse, Supreme Court Clerk of Court

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF COMMON PLEAS
FOR THE SEVENTH JUDICIAL CIRCUIT

Andrew Brent Scott, #192735,)
Applicant,)

Case No. 2014-CP-42-0304

ORDER OF DISMISSAL

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SC SUPREME COURT

v.)
State of South Carolina,)
Respondent.)

This matter comes before the Court by way of an Application for Post-Conviction Relief filed January 24, 2014. Respondent made a Return on or about August 20, 2014. The Court convened an evidentiary hearing into the matter on January 13, 2016, at the Spartanburg County Courthouse. Applicant was present at the hearing and represented by Leah B. Moody, Esquire. Alicia A. Olive, Esquire, of the South Carolina Attorney General's Office, represented Respondent.

Applicant testified on his own behalf at the evidentiary hearing. Applicant's trial counsel, Beverly Jones, Esquire, also testified. The Court had before it a copy of the trial transcript, the records of the Spartanburg County Clerk of Court regarding the subject convictions, Applicant's records from the South Carolina Department of Corrections, the pleadings, and the exhibits introduced at the hearing. The Court finds as follows:

I. PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Spartanburg County Clerk of Court. In November 2010, the Spartanburg County Grand Jury indicted Applicant for assault and battery - 1st degree (2010-GS-

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42-6835), kidnapping (2010-GS-42-6836), and armed robbery and possession of a weapon during the commission of a violent crime (2010-GS-42-6837, counts 1 and 2) Beverly Jones, Esquire, ("Counsel") represented Applicant. On April 26, 2012, Applicant proceeded to trial before the Honorable Roger L. Couch and a jury. The jury found Applicant guilty as indicted. Judge Couch sentenced Applicant to concurrent sentences of thirty years each for kidnapping, and armed robbery, ten years for assault and battery – 1st degree, and a consecutive term of five years for possession of a weapon.

A timely Notice of Appeal and Anders brief were filed on Applicant's behalf. The South Carolina Court of Appeals dismissed the appeal. State v. Scott, Op. No. 2013-UP-456 (Ct. App. filed Dec. 11, 2013). The Remittitur was returned on December 30, 2013.

II. ALLEGATIONS

In his application, Applicant alleged he is being held in custody unlawfully for the following reasons:

1. Ineffective assistance of counsel, in that;
 - a. Counsel refused to subpoena the victim's co-worker to address identification issues,
 - b. Counsel failed to properly interview witnesses and investigate the crime scene,
 - c. Counsel failed to make a motion regarding the illegal search and seizure,
 - d. Counsel may have had a conflict as a result of representing the arresting officer's wife in another criminal matter;
2. Illegal search and seizure, in that;
 - a. Applicant has never seen or received an arrest warrant or search warrant for his home;
3. Identification, in that;
 - a. Victim's testimony regarding identification should not have been allowed.

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H. Scott Gentry, Clerk

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court has reviewed the record in its entirety and has heard the testimony and arguments presented at the evidentiary hearing. The Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. The Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80.

A. Summary of Testimony

At the outset of the hearing, Applicant asked this Court to relieve Leah Moody as PCR counsel. This Court denied the motion. Applicant's convictions arose out of the robbery of a Money Tree. Applicant testified Beverly Jones was appointed to represent him in October 2011. Applicant testified he was initially represented by Michael Brown. Applicant stated Counsel failed to do a proper investigation, and that she told him she did not have enough time to prepare.

Applicant testified Kip Teal did not have a warrant to enter the house when he arrested Applicant. He stated Teal assaulted him, resulting in a cut on Applicant's face, and that is how Teal obtained Applicant's DNA. Applicant stated the warrant was for the address where he was living. Applicant stated there was no probable cause to arrest him and that he had been at home in his bed all day. Applicant stated he could barely get out of bed to walk and said that Counsel should have gotten his medical records to prove that. Regarding the search, Applicant stated that the authorities did not find anything in the house except for him. He also said that Counsel should have called Regina Jones, who was the supervisor of the store, to testify. Applicant testified that someone had told the victim two weeks prior to the robbery that the store would be robbed and that he was going to do it. Applicant testified he did not communicate to Counsel that

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he wanted Jones to testify on his behalf because that information was not in his discovery, and that he only learned about it because the victim testified about it at trial. Applicant stated that Counsel had a conflict of interest because she represented Kip Teal's wife in a criminal matter.

Applicant stated he also wanted Counsel to call three other witnesses. He admitted he did not give two of those witnesses' names to Counsel. He alleged those two individuals were in the store next door and would have had a video from outside of the store, since there was no video from inside. Applicant also stated that Counsel should have investigated an individual named Earnest Jackson who was alleged the brother of Bridgett Jackson.

Applicant alleged that Counsel should have challenged the "search and seizure" with respect to Verdia Copeland's home. Applicant testified the police chief "forced and threatened" Copeland into signing a consent form for the authorities to enter her home. He stated that she refused to give them the keys and they told her that if she did not give them the keys, they would have to tear her house up. Applicant presented Verdia Copeland, who also testified at trial, as a witness at the PCR hearing. Applicant referred to Copeland as both his wife and his girlfriend, but later admitted that they were not married. Copeland also testified they were never married, and stated that at the time of his arrest, he had been staying with her. Copeland testified that on the day Applicant was arrested, she was gone all day attending to her mother in the hospital. She stated she left Scott at her home, in the bed that morning. She stated that about a week before she had taken him to the emergency room with pains in his side. However, Applicant was not admitted, but was given some pain pills. Copeland said the police chief asked for her keys but that she said no because she would be going back home later and would need her keys to get in. She stated that she did not have a problem with the authorities going into her home. She stated

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M. J. [unclear]

that she understood they were going in her home to look for Applicant. She said that she spent the night with her sister, who is disabled, and that when she returned to her home, she observed that her back door had been prised open. She stated that she gave consent to the authorities to go in her home in search of Applicant and that she did not feel threatened or coerced to give consent.

Applicant stated he had worked at the store previously. Applicant introduced a copy of an unsigned arrest warrant as an exhibit at the hearing and alleged the warrant was defective because it was unsigned. When questioned by PCR counsel, Applicant stated he was not seeking a new trial.

Counsel testified she has been practicing criminal law for nearly thirty years. Counsel began representing Applicant in November of 2011. She testified Michael Brown had been representing him for a year prior to her appointment. Counsel testified she met with Applicant approximately eight to twelve times prior to his trial. Counsel testified that Applicant was cooperative in helping her with his defense, but that he was focused on certain issues that he thought should be raised. She stated that she discussed these issues with him. Counsel testified she filed the appropriate motions for discovery and that she received complete discovery. She testified she reviewed all discovery material with Applicant. Counsel stated that prior to trial she discussed with Applicant the elements of the charges and what the State was required to prove. She testified that she felt Applicant understood.

Counsel stated that she and Applicant discussed his version of the facts several times. Counsel stated that the State's evidence against Applicant included DNA evidence, the victim's identification of Applicant, Kip Teal's identification of Applicant riding his bicycle, and the

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discovery of the bicycle in front of Copeland's house. Counsel testified that Applicant assisted with her investigation by providing Copeland as a potential witness, by providing information concerning the store including his termination and the policy or lack of policy regarding store keys, and information concerning his medical issue.

Counsel testified the store was a Money Tree that Applicant had previously worked for. She stated that Applicant was terminated from the store and that she looked into his termination. Counsel stated that the victim claimed the assailant came in through the public front. The assailant then was able to go through an inner door that was supposed to stay locked. Counsel stated that during her investigation, the owner could not affirmatively say whether the inner door was locked. She stated she cross-examined the witnesses about this issue at trial.

Counsel testified that she conducted an independent investigation that consisted of going to the store, speaking to potential witnesses, obtaining Applicant's medical records, and pursuing any additional leads that arose from her investigation. Counsel visited the store, went in and around the store, tried to get the maintenance log, and spoke to individuals about the lock policy and the video surveillance system. She testified she spoke with Ian Stowell at length about his willingness to be an identification witness, but that he ultimately testified for the State. Counsel testified Applicant never told her about seeing any specialists regarding his alleged medical condition. She stated he only told her about going to the emergency room at Mary Black. She stated she subpoenaed records but the only thing they had was that he had been there five weeks before the incident for generalized abdominal pain. She also stated that she had a number of conversations with Copeland.

Counsel testified that she had ample time to prepare for trial and felt her investigation

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was complete. She stated that the time was compressed because the case already had a year of age on it by the time she was appointed. Counsel testified that the trial was originally scheduled on the February 2012 docket but that it was continued. She stated that a hearing was held in March 2012 in which the State obtained a judicial order to take Applicant's buccal swab.

Counsel testified that her strategy in the case was to challenge and discredit the identification of Applicant as the assailant by showing that it was based on a rush to judgment. Counsel testified that pleas had been discussed before she was appointed and that any offers had been rejected. Counsel testified that on the first day of trial, the trial judge asked the parties whether there had been any attempts to work out a plea offer. She testified an offer of twenty years was made and Applicant rejected the offer.

Counsel testified that she and Applicant discussed possible defenses he may have. She testified that identification was an issue. She stated the employee at the store (the victim) did not know him, and that Applicant thought Teal had it out for him. Counsel also testified that she thought DNA could be an issue. She testified that a pretrial Biggers¹ hearing was held on the issue. Counsel stated that the victim did not work with Applicant but she gave a description of him to authorities.

Regarding Applicant's allegation that Counsel should have called Regina Jones to testify, Counsel testified that Jones would not have been helpful, and in fact, she felt she would have been more dangerous than helpful. Counsel stated that the employees of the store in general were not very helpful. Counsel testified she sent out subpoenas for witnesses to testify at trial. She testified she spoke to potential witnesses. Counsel testified that her theory was that there was a

¹ Neil v. Biggers, 409 U.S. 188 (1972).

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HARRIS COUNTY

rush to judgment in the identification of Applicant and that she discussed this with Applicant. She stated that it never appeared to her that Applicant did not understand. She stated that the bigger issue was that he "was not wanting to listen" and had his mind set about things. She stated that when those situations arise in her representation of her clients, she tries to reinforce what her position is. She stated that she listened to what he had to say, especially the facts.

Regarding Applicant's challenge to his arrest warrant, Counsel testified that anomalies or errors in arrest warrants are meaningless and that the indictment controls. Counsel testified that by the time she was appointed, he had already been indicted. Counsel testified that the fact that he had an unsigned copy does not mean it was not signed. She stated that those are copies and that as long as the original bears the signature that is all that matters.

Regarding the DNA issue, Counsel testified that she and Applicant discussed the buccal swab before trial. Counsel testified the assistant solicitor filed a motion for collection of a buccal swab the month before trial, and that a hearing was held on the motion pursuant to Schmerber v. California, 384 U.S. 757, 770-72 (1996). Counsel testified she did not think there was anything objectionable about the motion. As a result of the hearing, the State obtained a court order to take Applicant's buccal swab. Counsel stated that she received a call to go to the jail where Applicant was held because he was refusing to cooperate despite the order. Ultimately the buccal swab was obtained. Counsel testified that she and Applicant discussed what the DNA would be used for. She stated he explained and that he did not accept it but that she explained it.

Counsel stated that she talked to Applicant about his claim that he had been in bed all day. She stated she could not use Copeland as a true alibi witness because she was not at the house all day. Counsel testified that Applicant told her that when the police came to Copeland's

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house, they busted in, Teal assaulted Applicant, and squeezed his nose with a tissue to get blood from the cut. She stated that Applicant characterized the search as lasting for two and a half hours. Counsel testified she did not think Applicant had a good chance of being acquitted at trial because of the DNA evidence.

Regarding Applicant's claim that there was a conflict of interest, Counsel testified that Applicant thought that Kip Teal was "after him" because Teal's wife had been a frequent customer of his. Counsel testified that she did represent Teal's wife in a case, but that in that case, she had a contrary position of her husband. Counsel testified that she did not believe that her representation of Mrs. Teal limited her representation of Applicant and that Mrs. Teal had no involvement in Applicant's case.

As a matter of general impression, the Court finds Counsel's testimony credible and gives it great weight. The Court finds Applicant's testimony neither credible nor legally relevant.

B. Ineffective Assistance of Counsel

In this post-conviction relief action, Applicant bears the burden of proving the allegations in his application. Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985) (citing Griffin v. Martin, 278 S.C. 620, 300 S.E.2d 482 (1983)). Where the application alleges ineffective assistance of counsel as a ground for relief, the applicant must prove 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." Id. at 442, 334 S.E.2d at 814 (citing Strickland v. Washington, 466 U.S. 668 (1984)).

The proper measure of performance is whether counsel provided representation within the range of competence required in criminal cases. Id. (citing Strickland, 466 U.S. at 687;

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JAMES B. STANLEY

Turner v. Bass, 753 F.2d 342 (4th Cir. 1985); Marzullo v. Maryland, 561 F.2d 540 (4th Cir. 1977)). The Court presumes counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Id. (citing Strickland, 466 U.S. at 690). Applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

The Court uses a two-pronged test in evaluating allegations of ineffective assistance of counsel. Id. at 117, 386 S.E.2d at 625. First, Applicant must prove counsel's performance was deficient. Id. Under this prong, the Court measures counsel's performance by its "reasonableness under prevailing professional norms." Id. (citing Strickland, 466 U.S. at 688). Second, any deficient performance must have prejudiced Applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Id. at 117-18, 386 S.E.2d at 625.

Identification

Applicant alleged the victim's testimony regarding identification should not have been allowed. Applicant presented this claim as an allegation of ineffective assistance of Counsel at the PCR hearing. Applicant has failed to produce any evidence in support of this allegation. Counsel testified and the record reflects that Counsel challenged the pre-trial identification of Applicant by requesting a pretrial hearing pursuant to Neil v. Biggers, 409 U.S. 188. In that hearing, Counsel argued that the suggestion by the victim's co-worker prior to the line-up that Applicant was the assailant could have impacted the victim's identification of Applicant. The trial judge allowed the identification to go forward and stated he did not find that the fact a name might have been mentioned to the victim, without any description of that individual or

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counsel.” (citing Whitehead v. State, 308 S.C. 119, 417 S.E.2d 529 (1992))). Here, Counsel testified that she felt her investigation was complete. She stated that she went to the store, observed the layout, talked to the store employees and other potential witnesses, questioned the appropriate people about the store's policies as to the turning over of keys after termination of employment, and attempted to flesh out the issue regarding the lack of a surveillance video. Counsel also stated that she looked into Applicant's medical history, requested his medical records from the hospital where he said he had been treated, and that all she found was that he had been treated five weeks before the robbery for generalized abdominal pain. Though Applicant claimed at the PCR hearing that he had been treated by a specialist, Counsel testified he never mentioned anything to her about a specialist. Counsel also testified that she did not call the victim's co-worker, Regina Jones, to testify because the store employees in general were not helpful and because Regina's testimony in particular would have been harmful. Counsel testified she reviewed all discovery with Applicant. The Court finds trial counsel conducted a proper investigation, fully explored all possible defenses, adequately conferred with Applicant, and was thoroughly competent in her representation. Accordingly, Applicant has failed to demonstrate that Counsel's performance was deficient in this regard.

Further, this Court finds Applicant has failed to demonstrate that any alleged error prejudiced him. Dempsey v. State, 363 S.C. 365, 369, 610 S.E.2d 812, 814 (2005) (“A PCR applicant cannot show that he was prejudiced by counsel's failure to call a favorable witness to testify at trial if that witness does not later testify at the PCR hearing or otherwise offer testimony within the rules of evidence.” (citing Glover v. State, 318 S.C. 496, 498, 458 S.E.2d 538, 540 (1995))). Jackson v. State, 329 S.C. 345, 353-54, 495 S.E.2d 768, 772 (1998)

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("Respondent failed to present any evidence of what counsel could have discovered or what other defenses respondent would have requested counsel pursue had counsel more fully prepared for the trial.").

Here, Applicant produced no witnesses at the PCR hearing. Applicant's PCR counsel informed the Court that she diligently attempted to contact the witnesses Applicant named, but that she either could not locate those individuals or they did not respond. Because Applicant did not produce these witnesses at the PCR hearing, this Court can only speculate as to what their testimony would have been and whether it would have been helpful or harmful. Likewise, Applicant failed to present any evidence of what information Counsel would have uncovered had she conducted any further investigation. Though Applicant claimed there were medical records that Counsel failed to uncover, he failed to produce any medical records as part of this action. In addition, given the DNA evidence that linked Applicant to the crime, Applicant has failed to show that there is a reasonable probability that but for the alleged deficiency of Counsel, the outcome of Applicant's trial would have been different.

Accordingly, this Court finds Applicant has failed to satisfy his burden of proving either deficiency or prejudice with respect to this allegation. Therefore, this allegation is denied and dismissed.

Failure to make a motion regarding illegal search and seizure

Applicant alleged Counsel was ineffective for failing to make a motion regarding the illegal search and seizure. This Court finds Applicant has failed to satisfy his burden of proving that Counsel was deficient for failing to challenge the search of Copeland's home. Applicant argues that Counsel should have challenged both his arrest and the collection of his DNA.

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Here, Applicant was staying as a guest at Copeland's home. On the day of the robbery, Copeland was away visiting her mother in the hospital. After the robbery occurred, officers asked for Copeland's consent to search for Applicant in her home. Copeland testified that she was not threatened or coerced to consent to the search. Thus, Officers obtained lawful consent to search Copeland's home for Applicant. Applicant testified that no evidence was found or obtained other than himself and blood from his nose. Counsel testified that anomalies or errors in arrest warrants are meaningless and that the indictment controls. Counsel testified that when her representation began, Applicant had already been indicted. Counsel stated the arrest warrants introduced at the hearing were copies and that as long as the original bears the signature that is all that matters. The arrest warrants are part of the record before this Court. This Court finds that the arrest warrants are signed and the warrants bear no facial defects. In addition, this Court finds Applicant has failed to show that the search of Copeland's home was not accomplished pursuant to her lawful consent. Accordingly, Applicant has failed to show Counsel was deficient for failing to challenge his arrest, or that she had any basis for doing so. Furthermore, Applicant has failed to present any evidence that the alleged deficiency had any impact on the outcome of his trial.

In support of his allegation that Counsel should have challenged the collection of his DNA, Applicant contended (contrary to the officer's testimony at trial) that the officer assaulted him and was able to illegally obtain a sample of his blood as a result of the assault. However, the DNA evidence that was presented at trial was obtained through a court-ordered buccal swab. Counsel testified that prior to trial, a hearing was held pursuant to Schmerber v. California, 384 U.S. 757, 770-72 (1996), in which the State moved for and obtained a court order to perform a

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Conflict of interest

Applicant alleges that Counsel engaged in a conflict of interest because she represented the arresting officer's wife in another criminal matter. This Court finds Applicant has failed to satisfy his burden as to this claim. "[U]ntil a defendant shows that his counsel actively represented conflicting interests, he has not established the constitutional predicate for his claim of ineffective assistance." Cuyler v. Sullivan, 446 U.S. 335, 350, 100 S. Ct. 1708, 1719, 64 L. Ed. 2d 333 (1980). The mere possibility of a conflict of interest is insufficient to challenge a criminal conviction. Langford v. State, 310 S.C. 357, 426 S.E.2d 793 (1993). Counsel testified that she represented Mrs. Teal in a completely unrelated criminal matter that was resolved by a plea a month before Applicant's trial. She stated that she did not feel this in any way limited her representation of Applicant and that Mrs. Teal was actually in a position that was adverse to that of her husband's in that criminal matter. This Court finds that Applicant has failed to demonstrate that Counsel actively represented conflicting interests. Accordingly, this Court finds Applicant has failed to satisfy his burden of proving either deficiency or prejudice as to this claim. Therefore, this allegation is denied and dismissed.

Illegal Search and Seizure and Identification

In his Application, Applicant also alleges "illegal search and seizure" and "identification." This Court finds Applicant also raised these allegations as claims of ineffective assistance of counsel, which are addressed above as such. To the extent Applicant attempts to raise these allegations under a different theory, this Court finds these direct appeal issues that are procedurally barred by S.C. Code Ann. § 17-27-20(b) (1985), and cannot be raised in an application for post-conviction relief. See Drayton v. Evatt, 312 S.C. 4, 8, 430 S.E.2d 517 (1992).

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HONORABLE JUSTICE

M. HOPE BLACKLEY
Clerk of Court, Spartanburg County
Post Office Box 3483
Spartanburg, South Carolina 29304-3483

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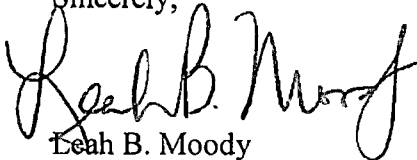
The Honorable Hope Blackley
Spartanburg County Clerk of Court
Post Office 3483
Spartanburg, South Carolina 29304

RE: Andrew Scott v. State of South Carolina
Case No.: 2014-CP- 42-0304

Dear Ms. Blackley:

Please find enclosed the Notice of Appeal and the Proof of Service in the above-referenced matter.

Sincerely,



Leah B. Moody

Enclosures

cc Andrew Scott
Alicia Olive, Assistant Attorney General
Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court
Sharon Graham, SCCID

Law Office of Leah B. Moody, LLC

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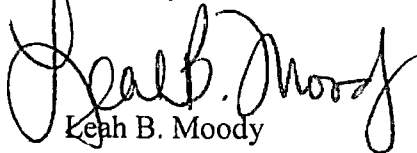
RE: Andrew Scott v. State of South Carolina
C.A. No.: 2014-CP-42-0304

Dear Ms. Olive:

The Spartanburg County Court of Common Pleas appointed my office to represent Andrew Scott in his Post-Conviction Relief action. Please find enclosed a copy of the Notice of Appeal and Proof of Service in this matter.

If you have any questions or concerns, please feel free to contact my office. Thank you.

Sincerely,


Leah B. Moody

Enclosures

Cc Andrew Scott
Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court
Hope Blackley, Clerk of Court, Spartanburg County
Sharon Graham, SCCID

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July 25, 2016

Ms. Sharon A. Graham
SC Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11433
Columbia, South Carolina 29211-1433

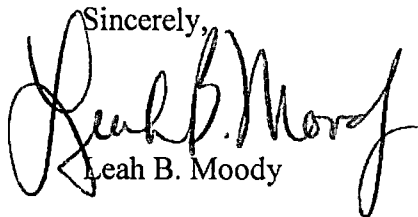
RE: Andrew Scott v. State of South Carolina
Case No.: 2014-CP- 42-0304

Dear Ms. Graham:

The York County Court of Common Pleas appointed my office to represent Andrew Scott in his Post-Conviction Relief action. Please find enclosed the Notice of Appeal and Proof of Service the above-referenced matter.

Thank you for your attention in this matter.

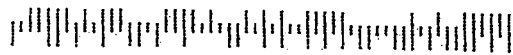
Sincerely,



Leah B. Moody

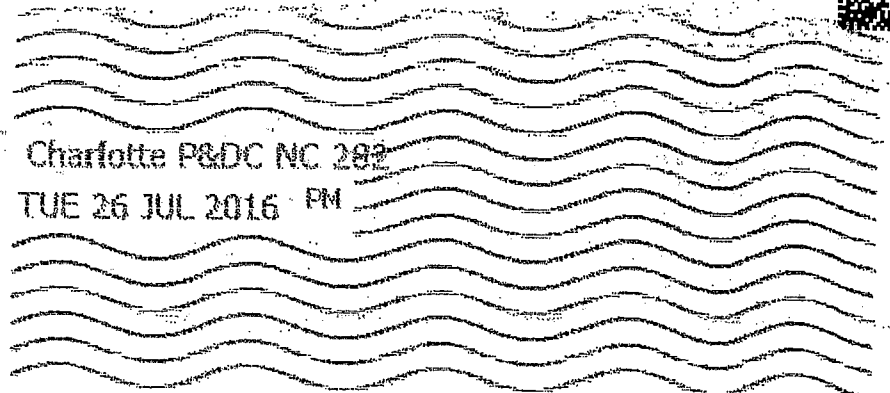
Enclosures

cc Andrew Scott
Alicia Olive, Esquire
Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court
Hope Blackley, Clerk of Court, Spartanburg County



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TO:

The Honorable Daniel E. Shearouse
The Supreme Court of South Carolina
PO Box 11330
Columbia SC 29211-1330