

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of General Sessions

The Honorable Steven H. John, Circuit Court Judge

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Case Nos. 2014GS2603635 – 3637, 2014GS2603429

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The State,

Respondent,

v.

Tiant A. Smith,

Appellant.

**RECEIVED**

**JUL 28 2016**

**SC Court of Appeals**

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EXPLANATION PURSUANT TO  
RULE 203(d)(1)(B)(iv)

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On February 9, 2016, Tiant A. Smith initially proceeded to trial before the Honorable Steven H. John and a jury. Barbara Pratt represented Mr. Smith, and Assistant Solicitor Joshua Holford prosecuted the charges on behalf of the State. A possible *Brady* violation issue arose during pre-trial motions, and the State provided Mr. Smith with a plea offer. Mr. Smith pled guilty pursuant to the terms of the plea deal, and the Court delayed sentencing at his request.

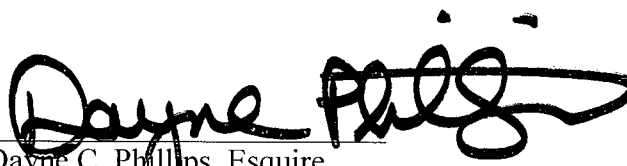
On February 12, 2016, Judge John sentenced Mr. Smith, and a *pro se* motion to withdraw the guilty plea was filed on the same day. Judge John granted plea counsel's motion to be relieved as counsel and continued the motion to withdraw the guilty plea on March 17, 2016, to allow undersigned counsel the ability to obtain the transcript of the plea hearing.

On May 19, 2016, an evidentiary hearing was held before Judge John on the motion to withdraw the guilty plea. Undersigned counsel represented Mr. Smith, and Assistant Solicitor

Holford represented the State. Plea counsel, Ronnice Gray, and Mr. Smith testified at the hearing, and undersigned counsel introduced numerous exhibits into evidence.

Pursuant to *Boykin v. Alabama*, 395 U.S. 238 (1969), Mr. Smith moved to withdraw the guilty plea because he did not knowingly, voluntarily, and intelligently enter the plea. *See* U.S. Const. amends. V, XIV; S.C. Const. art. I, §§ 3; *State v. Thomason*, 355 S.C. 278, 283, 584 S.E.2d 143, 146 (Ct. App. 2003) (citing *State v. Riddle*, 278 S.C. 148, 150, 292 S.E.2d 795, 796 (1982)). At the conclusion of the hearing, Judge John denied the motion to withdraw the guilty plea and instructed Assistant Solicitor Holford to draft a proposed order on his ruling.

On July 21, 2016, the signed "Order Denying Defendant's Motion to Withdraw Guilty Plea" was filed with the Horry County Clerk of Court's Office.



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July 27, 2016