

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Honorable J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2016-001430  
Appellate Case No. 2012-209540

Op. No. 2016-UP-174 (S.C. Ct. App. filed April. 13, 2016)

Jerome Curtis Buckson,

Petitioner,

v.

State of South Carolina,

Respondent.

AMENDED  
PETITION FOR WRIT OF CERTIORARI

Tricia A. Blanchette  
Post Office Box 12725  
Columbia, South Carolina 29211  
(803) 988-0008  
Attorney for Petitioner

RECEIVED

AUG 01 2016

SC SUPREME COURT

INDEX

|  |    |
|--|----|
| Statement of the Issue.....  | 2  |
| Statement of the Case.....   | 3  |
| Argument.....  | 6  |
| The South Carolina Court of Appeals failed to properly uphold the relief granted by the lower court and find that trial counsel rendered ineffective assistance of counsel when he primarily focused on the murder charge in his preparation and presentation of Petitioner’s defense when Petitioner was also facing an equally serious burglary charge, and that such ineffective assistance and the resulting prejudice were demonstrated through counsel’s failure to investigate and call witnesses and his failure to speak to and properly utilize witnesses called at trial..... | 7  |
| Conclusion.....  | 15 |
| Certificate of Counsel.....  | 16 |

STATEMENT OF THE ISSUE

- I. Whether the South Carolina Court of Appeals failed to properly uphold the relief granted by the lower court and find that trial counsel rendered ineffective assistance of counsel when he primarily focused on the murder charge in his preparation and presentation of Petitioner's defense when Petitioner was also facing an equally serious burglary charge, and that such ineffective assistance and the resulting prejudice were demonstrated through counsel's failure to investigate and call witnesses and his failure to speak to and properly utilize witnesses called at trial.

## STATEMENT OF THE CASE

Petitioner was confined in the South Department of Corrections pursuant to orders of commitment from the Spartanburg County Clerk of Court.<sup>1</sup> During the February 2006 term of the Spartanburg County Grand Jury, Petitioner was indicted for Burglary, First Degree (Indictment No.: 2006-GS-30-0845) and Murder (Indictment No.: 2006-GS-30-0846). On January 30, 2007, a jury trial was conducted in Spartanburg County in front of the Honorable J. Derham Cole. Petitioner was represented by Richard H. Warder, Esquire. The jury returned a verdict of not guilty on the Murder charge and guilty on the Burglary, First Degree, charge. On February 2, 2007, the Honorable J. Derham Cole sentenced Petitioner to confinement for a term of twenty (20) years.

A timely Notice of Appeal was filed on Petitioner's behalf and an appeal was perfected by M. Celia Robinson, South Carolina Office of Appellate Defense. Following the submission of the Brief of Appellant, the South Carolina Court of Appeals affirmed Petitioner's conviction and sentence. State v. Buckson, Op. No. 2010-UP-282 (S.C. Ct. App. filed May 20, 2010). A Petition for Rehearing was filed and denied on June 17, 2010. Petitioner filed a Petition for Writ of Certiorari to the South Carolina Supreme Court, which was voluntarily withdrawn. The South Carolina Supreme Court issued the Remittitur on October 6, 2010.

On October, 22, 2010, Petitioner filed an Application for Post Conviction Relief (PCR) in Spartanburg County. On or about May 3, 2011, the State submitted a Return. On September 8, 2011, Petitioner, through counsel, submitted an Amendment to Application for Post Conviction Relief. An evidentiary hearing into the matter was held on September 23, 2011 at the Spartanburg County Courthouse in front of the Honorable J. Mark Hayes, II. Petitioner was present at the hearing and was represented by Tricia A. Blanchette, Esquire. The State was represented by

---

<sup>1</sup> Pursuant to the Order issued by the South Carolina Supreme Court on October 3, 2012, Petitioner is currently released subject to an appellate bond.

Suzanne H. White, Assistant Attorney General.

During the hearing, Petitioner testified on his own behalf. Petitioner also called Shirley Hall, Barry Adair, Elliott Canada, Antwan Martin, Chad Tate and Lloyd Williams to the stand. PCR counsel introduced eight exhibits. The State called Richard H. Warder, Esquire, to the stand. The lower court also had before it a copy of the Application, the Return, the Amendment, the records of the Spartanburg County Clerk of Court concerning the subject conviction, the trial transcript, and Petitioner's records from the South Carolina Department of Corrections.

At the close of the hearing, the Honorable J. Mark Hayes, II, took the matter under advisement. On October 21, 2011, the Honorable J. Mark Hayes, II, issued an Order Granting Application for Post Conviction Relief. The State filed a Motion to Alter or Amend the Order Granting Relief Pursuant to Rule 59(e) on November 8, 2011. Petitioner submitted a Return on November 15, 2011. On March 9, 2012, the Honorable J. Mark Hayes, II, issued a written Order denying the State's Motion and clarifying the Order Granting Application for Post Conviction Relief.

On September 17, 2012, the State filed a Petition for Writ of Certiorari and Appendix. On October 3, 2012, this Court issued an Order granting Petition for Appeal Bond, and Petitioner was released following a hearing and posting of bond in Spartanburg County on November 8, 2012. On December 14, 2012, Petitioner filed a Return to Petition for Writ of Certiorari. Thereafter, the appeal was transferred to the South Carolina Court of Appeals.

On April 10, 2014 an Order granting Certiorari was issued by the Court of Appeals. On August 11, 2014, the State submitted the Brief of Petitioner and additional Appendices. On October 8, 2014, the Brief of Respondent was filed. An oral argument was scheduled and cancelled in October 2015. On April 13, 2016, an Opinion was issued by the Court of Appeals reversing the

decision of the lower court. Buckson v. State, Unpub. Op. No. 2016-UP-174 (S.C. Ct. App. filed April 13, 2016). Sup. App. p. 1. On or about April 13, 2016, the State filed a Motion to Revoke Appeal Bond. Sup. App. p. 21.

On April 26, 2016, a Petition for Rehearing and Petition for Rehearing *En Banc* was timely filed, along with a Response to Motion to Revoke Appeal Bond. Sup. App. p. 6, 26. The State submitted a Reply to Response to Motion to Revoke Appeal Bond on or about May 3, 2016. Sup. App. p. 28. By letter and Order dated June 10, 2016, the South Carolina Court of Appeals denied the Petition for Rehearing and Petition for Rehearing *En Banc*. Sup. App. p. 33. Pursuant to Rule 242, South Carolina Appellate Court Rules, this Petition follows.

## ARGUMENT

In a Post Conviction Relief Appeal, great deference is given to the lower court's findings of fact and conclusions of law. McCray v. State, 317 S.C. 557, 455 S.E.2d 686 (1995) (emphasis added). The existence of "any evidence" of probative value is sufficient to uphold the lower court's ruling. Webb v. State, 281 S.C. 237, 314 S.E.2d 839 (1984). Pursuant to Rule 242, South Carolina Appellate Court Rules, Petitioner would respectfully request that this Court consider the arguments herein, along with the prior filings and record, and find that the standing Opinion of the South Carolina Appeals must be reversed since it errantly interprets the lower court's ruling and exceeds the standard of review. Petitioner submits that it is necessary that this Court review and reverse the standing Opinion because failure to reverse will set a dangerous precedent in the appellate court's authority to stand in the place of the circuit court. Here, under the any evidence standard of review, the lower court's granting of relief must be upheld.

Furthermore, the standing Opinion of the Court of Appeals fails to address the lower court's analysis and reliance upon State v. Singley, 392 S.C. 270, 271-72, 709 S.E.2d 603, 604 (2011) as argued herein. Petitioner submits that the lower court correctly relied upon and interpreted Singley and the Court of Appeals failed to address the lower court's reasoning that was clearly derived from reliance upon Singley.

Finally, Petitioner submits that the standing Opinion of the South Carolina Court of Appeals cannot be reconciled to this Court's ruling in Lounds v. State, 380 S.C. 454, 670 S.E.2d 646 (2008) as relied upon by the lower court and argued herein. Therefore, it is imperative that this Court consider the below argument and reverse the Court of Appeals.

- I. Defense of the Burglary Charge: The South Carolina Court of Appeals failed to properly uphold the relief granted by the lower court and find that trial counsel rendered ineffective assistance of counsel when he primarily focused on the murder charge in his preparation and presentation of Petitioner's defense when Petitioner was also facing an equally serious burglary charge, and that such ineffective assistance and the resulting prejudice were demonstrated through counsel's failure to investigate and call witnesses and his failure to speak to and properly utilize witnesses called at trial.

In reaching the Opinion reversing the relief granted by the lower court, it appears the South Carolina Court of Appeals has chosen to accept the State's invitation to improperly dissect the decision of the lower court into four findings when it is clear that the Court made two well-reasoned findings as addressed in the Brief of Respondent and herein.<sup>2</sup> As stated, great deference is to be given to the lower court's findings of fact and conclusions of law. McCray v. State, 317 S.C. 557, 455 S.E.2d 686 (1995). The existence of "any evidence" of probative value is sufficient to uphold the lower court's ruling. Webb v. State, 281 S.C. 237, 314 S.E.2d 839 (1984). As a result, Petitioner would ask this Court to properly consider the lower court's rulings, reverse the Court of Appeals and find as follows:

Trial counsel rendered ineffective assistance of counsel when he primarily focused on the murder charge in his preparation and presentation of Respondent's defense when Respondent was also facing an equally serious burglary charge, and that such ineffective assistance and the resulting prejudice were demonstrated through counsel's failure to investigate and call witnesses and his failure to speak to and properly utilize witnesses called at trial.

Brief of Respondent p. 6.

Here, the lower court correctly held that trial counsel rendered ineffective assistance of counsel when he primarily focused on the murder charge in his preparation and presentation of

---

<sup>2</sup> Prior to the filing of this Petition for Writ of Certiorari, Petitioner was the "Respondent;" therefore, all references to Brief of Respondent, refer to the Petitioner's Brief filed in the South Carolina Court of Appeals entitled Brief of Respondent.

Petitioner's defense when Petitioner was facing an equally serious burglary charge. Specifically, the lower court reasoned:

At the PCR hearing, Applicant alleged that trial counsel failed to focus on the burglary charge during the preparation and investigation phase of his representation. Even though the Applicant was going to trial on murder and burglary, Applicant explained that counsel focused on the murder charge and trial counsel did not refute this assertion. Trial counsel explained that the murder charge was more complicated and was his primary focus. Interestingly, both charges carry a life sentence, yet counsel determined that he would regrettably put his entire focus on the preparation and presentation of Applicant's murder defense. This Court finds this decision to focus on the murder charge to be unreasonable and ineffective, which resulted in prejudice to the Applicant. The State has argued that the not guilty verdict on the murder is indicative of counsel's effective investigation and preparation, but this Court is not convinced of this argument. When counsel choose to focus his investigation and preparation on the murder charge, he could not anticipate a not guilty verdict nor does his preparation on one charge excuse the unreasonableness of his preparation and investigation on the other charge.

App. p. 745.

At the evidentiary hearing, trial counsel explained that he focused his preparation and time with Petitioner prior to trial on the murder charge since it was more problematic and had more defenses. App. p. 694. On cross-examination, when asked if both charges, murder and burglary in the first degree, were equally important, counsel errantly explained that the risk was more on the murder, so it took up most of the focus. App. pp. 714-5. He also explained that he did not contemplate that the jury would split as he assumed a not guilty on the murder would result in a not guilty on the burglary charge. App. p. 715. It appears that this portion of the record has been ignored by the Court of Appeals.

The lower court's findings regarding counsel's ineffectiveness in the defense of the burglary charge tracks very closely to the opinion set forth by this Court in Lounds v. State, 380 S.C. 454, 670 S.E.2d 646 (2008). Lounds argued that counsel failed to adequately prepare for and defend him at trial. This Court agreed based upon counsel's failure to conduct an

independent investigation, which at a minimum should have included speaking to potential witnesses. Lounds, 380 S.C. at 460, 670 S.E.2d at 649, Ard v. Catoe, 373 S.C. 318, 642 S.E.2d 590 (2007). In granting relief, this Court relied upon the testimony of two witnesses that were called at the evidentiary hearing in reasoning that counsel was ineffective; whereas, here, the lower court relied upon the testimony of four witnesses called at the evidentiary hearing. Additionally, defense counsel's inability to remember and provide credible testimony in the instant case is analogous to this Court's reversal of the finding of reasonable strategy when counsel failed to testify at the evidentiary hearing in Lounds. Simply put, counsel's testimony at the evidentiary hearing does not support the findings of the Court of Appeals.

Here, the lower court found it was a matter of unreasonableness to not utilize the witnesses in the capacity they were utilized at the evidentiary hearing. The court also refused to accept the State's theory that the not guilty verdict on the murder amounted to a showing of effective representation on the burglary. The lower court responded to this theory in the Order by noting counsel's testimony that he believed that the burglary would simply go away if he obtained a not guilty on the murder and his admission that his focus was on the murder because it was more serious as he errantly stated that it carried more time. App. p. 745, 750. By way of the Order, the lower court responded to the State's theory as follows:

The court has searched the transcript and has considered the testimony presented at the present hearing for reasonable justification for such an opinion and can find none... counsel's above detailed failures cannot be cured by a not guilty verdict on the murder charge when the jury found the Applicant guilty on the burglary charge.

App. p. 750.

It is well established that when matters of credibility are involved great deference is given to a post conviction relief court's findings. Smith v. State, 375 S.C. 507, 654 S.E.2d 523 (2007),

McCray, 317 S.C. 557, 455 S.E.2d 686, Solomon v. State, 313 S.C. 526, 529, 443 S.E.2d 540, 542 (1994) (Stating the court gives great deference to a PCR court's findings when matters of credibility are involved.). As to credibility findings, the lower court held: "This Court finds the testimony of Shirley Hall, Barry Adair, Elliott Canada, Antwan Martin, Chad Tate, Lloyd Williams and Jerome Buckson to be credible. This Court finds the testimony of Richard Warder to be credible on the matters that he specifically recalled, but this Court cannot make a finding of credibility on all the matters he could not recall." App. 743-4.

In reaching the standing decision, the Court of Appeals must have chosen to ignore the credible testimony of several witnesses that testified that Mr. Warder did not speak with them prior to trial or in the case of Chad Tate, spoke with him one time immediately before trial. The Court of Appeals has accepted the State's invitation to reverse the findings of Judge Hayes and rely on testimony of Mr. Warder, which was taken in firsthand by Judge Hayes and horribly limited by recall issues and emotional outbursts in courtroom. Additionally, the State has manipulated vague responses made by Mr. Warder to argue that he met with witnesses and chose not to use such witnesses as a result of a valid trial strategy. It is obvious that Mr. Warder's clear admission that the witnesses would have "been helpful" at trial has also been ignored. App. p. 710, ln. 21.

Nevertheless, the Court of Appeals has accepted the State's position that the that the testimony offered at the evidentiary hearing does not establish that Mr. Warder's failure to utilize the witnesses or more fully utilize the witnesses called affected the outcome of trial.<sup>3</sup> Petitioner

---

<sup>3</sup> As is detailed in the Brief of Respondent, Petitioner submits that each witness not called at trial provided testimony that was not merely cumulative to testimony or evidence offered at the trial and such a finding by the Court of Appeals must not stand. Brief of Respondent pp. 11-15. Briefly, the testimony of the witnesses provided the following outcome determinative information:

1) Shirley Hall provided testimony as a neighbor that was aware of Petitioner dwelling in the apartment and recalled providing such information to Mr. Warder.

urged the Court of Appeals and now this Court to review the lower court's finding and determine that there is ample evidence in the record to support his finding and to not conduct a *de novo* review since the State has not alleged an error of law. Based upon the evidentiary hearing transcript and the arguments set forth in the Brief and herein, Petitioner submits there is ample evidence to support the lower court's findings, which are similar to this Court's findings in Lounds v. State.

Unlike the standing Opinion, the lower court's findings specifically address the burglary statute and controlling case law. In pertinent part, S.C. Code Ann. § 16-11-310(3)(a) (2003) provides: "A person is guilty of burglary in the first degree if the person enters a dwelling without consent and with intent to commit a crime in the dwelling, and . . . the entering or remaining occurs in the nighttime." The lower court found that being charged under this statute, presented two important issues for Petitioner: "First, the issue is to what degree did the Applicant have a right to claim possession to the victim's apartment; and the second issue is the implication of his lack of intent to commit a crime when he entered the victim's apartment." App. p. 744. Relying upon State v. Singley, 392 S.C. 270, 271-72, 709 S.E.2d 603, 604 (2011), the lower

---

2) Antwan Martin provided a first-hand account of the being with Petitioner on the day in question, his knowledge that Petitioner lived at the victim's apartment and knowledge that Petitioner was currently in a relationship with the victim, which the court found directly refuted the testimony of the State's witness – Taffie Williams.

3) Lloyd Williams provided testimony that also refuted the testimony of Taffie Williams, corroborated the testimony of Petitioner and provided a first-hand account of being at the apartment on the evening in question. The court found his testimony not merely cumulative and highly important since he was listed as a State's witness, the stepfather of the victim and the husband of Taffie Wililams.

4) Elliott Canada provided testimony about being in the apartment during the night in question and his interactions with the victim and Mr. Watson (the person present in the bedroom when the victim was shot). Mr. Canada testified about the victim and Mr. Watson being "jittery" about the victim's "friend" named "J" coming home, it being apparent a man lived in the apartment, Mr. Watson's intention to return to the apartment with a gun, and his willingness to speak with defense counsel prior to trial.

Brief of Respondent pp. 11-15.

court reasoned that the jury must determine whether Petitioner used the dwelling in such a manner that it could have been said to be his own home because one cannot commit the offense of burglary by breaking into his own home. Id. at 276, 709 S.E.2d at 606. The lower court further noted that this Court held that the proper test is whether, under the totality of the circumstances, a burglary defendant had custody and control of, and the right of expectation to be safe and secure in, the dwelling burglarized. Id. at 278, 709 S.E.2d at 607.

As was addressed by the lower court and unaddressed by the Court of Appeals, Singley requires a fact-intensive totality of the circumstances test. Here, Judge Hayes properly considered the entire record and the evidence presented at the evidentiary hearing and found trial counsel ineffective for his handling of the burglary charge, and based upon the any evidence standard of review, this Court should not allow this finding to be disturbed.

The State alleged the following at trial:

- 1) Petitioner's relationship with the victim was over, 2) Petitioner was not living at the apartment with the victim and was not welcome to enter it, 3) Petitioner was not paying bills at the apartment, and 4) Petitioner had not given his key to Taffie Williams.

App. pp. 70-73, 106, 114-115, 121. Keeping in mind the fact intensive analysis required by Singley as the lower court did in his findings, it must be noted that the only witnesses used to attempt to refute such facts were Petitioner, his family members and admittedly and obviously unprepared Chad Tate. Due to counsel's ineffective assistance, Petitioner was on an island at trial trying to explain the following: 1) the regular use of the window for entry, 2) why he was not on the lease, 3) why he did not have a key 4) how the victim was trying to reach him that day, and 5) his involvement in picking up the kids / taking care of the kids. Instead of defense counsel calling witnesses that were not merely cumulative but were essential to the fact intensive analysis the last word came from a daycare working rebutting Petitioner's testimony.

As is detailed in the Brief previously filed and found in the record, the witnesses that the Court of Appeals now finds to be merely cumulative provided credible testimony, which the lower court properly found demonstrated counsel's deficient performance and that would have affected the outcome of trial. See Brief of Respondent pp. 13-14. Specifically the lower court held:

This Court finds that trial counsel's failure to contact and/or utilize Shirley Hall, Elliott Canada, Antwan Martin, and Lloyd Williams was not excusable nor was it a reasonable tactical decision. Each witness provided pertinent testimony on the issues of Applicant's residency and intent to commit a crime at the apartment. These witnesses also could have refuted the State's witness testimony and affirmed Applicant's testimony. At trial, counsel only called Applicant, Chad Tate, his mother, and his aunt for the defense. Even though these witnesses provided some pertinent testimony, trial counsel only called one non-family member when these other vital non-family member witnesses were available. Interestingly, Lloyd Williams and Elliott Canada were listed as potential State witnesses and were willing to testify for the defense despite being Ms. Fogey's stepfather and Mr. Watson's friend. This Court finds that these factors combined with the credibility of the witnesses' testimony would have been highly persuasive to the jury and would have likely affected the outcome of the trial.

App. p. 749.

Additionally, the Court of Appeals has also disturbed the lower court's findings regarding the testimony of Chad Tate as a stand-alone issue. It is clear from both the Order and the Brief of the Respondent that the testimony of Chad Tate was addressed in conjunction with counsel's deficient use of the Petitioner's testimony, which was unaddressed by the Court of Appeals. App. p. 749-50. Furthermore, this testimony was part of the basis of the lower court's overall finding that trial counsel was provided ineffective assistance in his unreasonable focus on the murder charge. Nevertheless, standing alone, Petitioner submits that the testimony of Chad Tate demonstrated counsel's failure to properly prepare for trial and properly present a defense that resulted in clear prejudice to Petitioner. It appears it has become the duty of the State and now

the Court of Appeals to excuse clear ineffective assistance by conducting a *de novo* review of the record to find any portions thereof to justify apparent deficient representation and defeat well-reasoned findings of the lower court.

In the Order the lower court held:

This Court agrees with Applicant's assertions that trial counsel was ineffective when he failed to prepare and investigate, failed to call witnesses, and failed to utilize trial witnesses to establish that the apartment at issue was his dwelling and/or residence and his of intent to commit a crime. This Court further finds that Applicant was prejudiced as a result of counsel's ineffective assistance.

App. p. 744. Clearly, the lower court found multiple interrelated deficiencies that that formed the basis of his reasoning that counsel provided ineffective assistance on his defense of the highly fact intensive burglary charge, which affected the outcome of Petitioner's trial.<sup>4</sup> The lower court reviewed the trial testimony and did not find, as the Court of Appeals did, that the testimony he witnessed firsthand was merely cumulative to the trial testimony or that the record or testimony of Mr. Warder justified his admitted focus on the murder charge. Therefore, Petitioner asks this court to adhere to the proper standard of review and find that there is evidence to support the findings of the lower court regarding counsel's ineffective assistance in the defense of the burglary charge and grant a new trial.

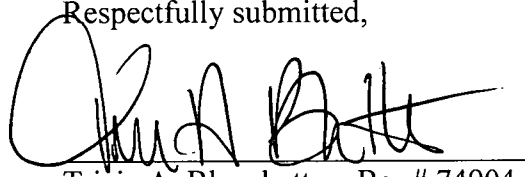
---

<sup>4</sup> It must be noted that the lower court's analysis is distinguishable from a cumulative error analysis, which comes into play when there are several non-prejudicial errors that are combined to form a finding of prejudice. See Green v. State, 351 S.C. 184, 569 S.E.2d 318 (2002) Here, the lower court's findings are merely interrelated and help form the basis of his reasoning for his finding that counsel provided ineffective assistance in his defense of the burglary charge detailed above.

CONCLUSION

In consideration of Rule 242, South Carolina Appellate Court Rules, and the above stated arguments, Petitioner respectfully requests that this Court conduct a full review of the record and arguments and find that it is necessary to grant Certiorari and reverse the Opinion of the South Carolina Court of Appeals filed on April 13, 2016 and remand to the lower court for a new trial.

Respectfully submitted,

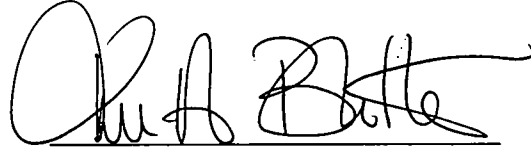
A handwritten signature in black ink, appearing to read 'Tricia A. Blanchette', written over a horizontal line.

Tricia A. Blanchette – Bar # 74904  
Post Office Box 12725  
Columbia, South Carolina 29211  
(803) 988-0008  
ATTORNEY FOR PETITIONER

This 1 day of August 2016

CERTIFICATE OF COUNSEL

I, Tricia A. Blanchette, Attorney for Petitioner, hereby certify that the Order was issued by the South Carolina Court of Appeals on June 10, 2016 finally deciding the Petition for Rehearing and Petition for Rehearing *En Banc*.

A handwritten signature in black ink, appearing to read 'Tricia A. Blanchette', written over a horizontal line.

Tricia A. Blanchette – Bar # 74904  
Post Office Box 12725  
Columbia, South Carolina 29211  
(803) 988-0008  
ATTORNEY FOR PETITIONER

This 1 day of August 2016.

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Honorable J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2016-001430  
Appellate Case No. 2012-209540

Op. No. 2016-UP-174 (S.C. Ct. App. filed April. 13, 2016)

Jerome Curtis Buckson,

Petitioner,

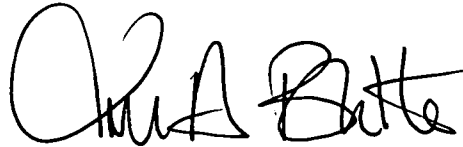
v.

State of South Carolina,

Respondent.

CERTIFICATE OF SERVICE

I, Tricia A. Blanchette, Attorney for Petitioner, hereby certify that I hand delivered this 1<sup>st</sup> day of August 2016, a copy of the Amended Petition for Writ of Certiorari to the South Carolina Court of Appeals.



Tricia A. Blanchette  
Bar # 74904  
PO Box 12725  
Columbia, SC 29211  
(803) 988-0008

August 1, 2016

RECEIVED

AUG 01 2016

SC SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Honorable J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2016-001430  
Appellate Case No. 2012-209540

Op. No. 2016-UP-174 (S.C. Ct. App. filed April. 13, 2016)

Jerome Curtis Buckson,

Petitioner,

v.

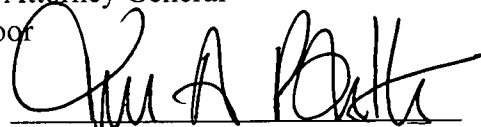
State of South Carolina,

Respondent.

CERTIFICATE OF SERVICE

I, Tricia A. Blanchette, Attorney for Petitioner, hereby certify that I hand delivered this 1<sup>st</sup> day of August 2016, a copy of the Amended Petition for Writ of Certiorari to Alicia Olive, Assistant Attorney General, at the below address:

Office of the Attorney General  
ATT: Alicia Olive, Assistant Attorney General  
1000 Assembly Street, 5<sup>th</sup> Floor  
Columbia, SC 29201



Tricia A. Blanchette  
Bar # 74904  
PO Box 12725  
Columbia, SC 29211  
(803) 988-0008

August 1, 2016

RECEIVED  
AUG 01 2016  
SC SUPREME COURT