



LAW OFFICE OF TRICIA A. BLANCHETTE

RECEIVED

OCT 11 2016

S.C. SUPREME COURT

October 11, 2016  
VIA HAND DELIVERY

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

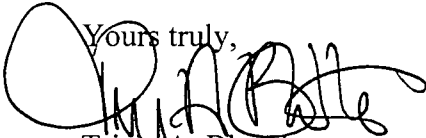
RE: Rodney Ladson v. State; Docket No.: 2012-CP-08-0637

Dear Sir:

For filing, attached please find an original Notice of Appeal, copies of the two Orders issued by the Honorable Perry H. Gravely, which are the subject of the Notice, and copies of the Circuit Court Orders referenced in the Notice. Due to the complicated procedural history, I have provided a lengthy Notice to ensure that all hearing dates and orders issued were referenced since Mr. Ladson is in need of the services of the Office of Appellate Defense for his appeal.

If the Court finds that an explanation is needed under Rule 243(c), South Carolina Rules of Appellate Procedure, I will be happy to comply.

Thank you for your assistance with this matter. Please contact my office with any questions.

Yours truly,  
  
Tricia A. Blanchette  
Attorney at Law

cc: Rutledge Johnson, Office of the Attorney General  
Office of Appellate Defense  
Berkeley County Clerk of Court  
Rodney Ladson

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

---

RECEIVED

OCT 11 2016

S.C. SUPREME COURT

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas  
Post Conviction Relief  
Honorable Perry H. Gravely, Circuit Court Judge

---

Case No.: 2012-CP-08-637

---

Rodney Ladson, 262438,.....Petitioner,

vs.

State of South Carolina,.....Respondent.

---

NOTICE OF APPEAL

---

This matter comes before this Court by way of an Application for Post Conviction Relief filed on February 9, 2012. The State submitted a Return and Motion to Dismiss and Conditional Order of Dismissal on July 9, 2013. Thereafter, the Honorable Roger M. Young signed the Conditional Order of Dismissal, which was filed on July 17, 2013. Petitioner, through counsel, received service of the Conditional Order of Dismissal on April 28, 2014. After responses by Petitioner and Petitioner's counsel were submitted, Petitioner, through counsel, received notice of the entry of a Form Four Order on June 9, 2014 by the Honorable Stephanie P. McDonald finding that the Conditional Order of Dismissal was rescinded and the case shall be set for an evidentiary hearing, a copy of which is attached.

On August 1, 2014, Petitioner, through counsel, filed a Motion for Discovery. On August 8, 2014, Respondent filed a Return to Motion for Discovery. On September 8, 2014, Petitioner, with counsel, appeared in front of the Honorable G. Thomas Cooper, Jr. at the Charleston County Courthouse for a Motion Hearing. At the start of the hearing, Respondent informed the Court that the case was being called on the State's Motion to Dismiss, to which Petitioner's counsel responded that it was her understanding that the State's Motion to Dismiss had been addressed in the Order issued by Judge McDonald and that the case was being called on the Motion for Discovery. The Honorable G. Thomas Cooper, Jr. determined that he could not hear the Motion for Discovery until the matter of the State's Motion to Dismiss was properly resolved finding that it "presented a legal issue." The Court instructed both parties to submit a Brief and/or proposed Order. On October 10, 2014, the Honorable G. Thomas Cooper, Jr. issued an Order denying the State's Motion to Dismiss and ordering that a hearing be held on Applicant's pending Discovery Motion, a copy of which is attached.

On December 9, 2014, a discovery motion hearing was held in front of the Honorable J.C. Nicholson, Jr., at the Charleston County Courthouse. Based upon a showing of good cause through the filed discovery motion and explanation provided at the hearing, the Honorable J.C. Nicholson, Jr., issued an Order for Discovery on December 29, 2014.

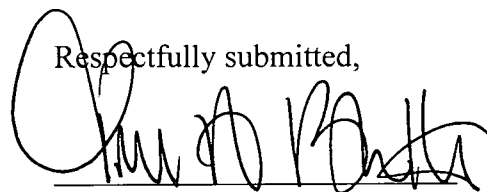
Due to the responses received, Petitioner, through counsel, submitted a Supplemental Motion for Discovery on June 16, 2015. On July 1, 2015, Respondent filed a Motion for Summary Judgment. On July 22, 2015, a motion hearing was held in front of the Honorable Roger E. Henderson at the Charleston County Courthouse. The Court

took the matter under advisement. Thereafter, an Order Denying Motion for Summary Judgment and Granting Supplemental Discovery was issued on July 30, 2015 and filed on August 7, 2015, a copy of which is attached.

Pursuant to the original order of Judge McDonald and subsequent circuit court orders, an evidentiary hearing was conducted on January 21, 2016 at the Berkeley County Courthouse in front of the Honorable Perry H. Gravely. At the conclusion of the hearing, the Court instructed the State to submit a proposed Order. Following the submission of a proposed Order, Petitioner's counsel contacted the Court regarding concerns with the proposed Order. An Order of Dismissal was issued on April 13, 2016 and filed May 3, 2016. Thereafter, Petitioner filed a timely Motion, pursuant to Rule 59, SCRPC.

An Order addressing Petitioner's Rule 59, SCRPC, Motion was issued by the Honorable Perry H. Gravely on September 7, 2016 and filed on September 16, 2016. Petitioner received notice of entry of the Order on September 21, 2016 via email sent by the Berkeley County Clerk of Court to undersigned counsel.

By way of this Notice of Appeal, Petitioner is appealing both Orders issued by the Honorable Perry H. Gravely following the evidentiary hearing conducted on January 21, 2016.

Respectfully submitted,  


Tricia A. Blanchette  
Bar #74904  
PO Box 12725  
Columbia, SC 29211

October 11, 2016  
Columbia, SC

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM BERKELEY COUNTY

Court of Common Pleas

Post Conviction Relief

Honorable Perry H. Gravely, Circuit Court Judge

RECEIVED

OCT 11 2016

S.C. SUPREME COURT

Case No.: 2012-CP-08-637

Rodney Ladson, 262438,.....Petitioner,


vs.

State of South Carolina,.....Respondent.

CERTIFICATE OF SERVICE

I, Tricia A. Blanchette, Attorney at Law, hereby certify that a copy of a Notice of Appeal, with attachments was hand delivered this was placed in the United States mail this 11<sup>th</sup> day of October 2016 to J. Rutledge Johnson of the Attorney General's Office, at:

Office of the Attorney General  
Att: J. Rutledge Johnson, Sr. Ast. AG  
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

October 11, 2016