J. FALKNER WILKES

Attorney at Law

114 Whitsett Street
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Telephone: (864) 282-1292
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November 8, 2016

Daniel E. Shearouse
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

Re: Isacc Starke, 00355498 v. State of South Carolina, 2014-CP-02-792

Dear Mr. Shearouse,

I was trial counsel for Isaac Starke in his PCR. I am enclosing herewith the Notice of Appeal and Certificate of Service in the above captioned case. I am also enclosing a copy of the Order of Dismissal.

My representation does not extend to the appeal of the case. Along with a copy of this letter I have forwarded a properly executed affidavit of indigent status to the South Carolina Commission on Indigent Defense, Appellate Division. As I am anticipating Mr. Starke will qualify for services I will not order the transcript or take further action unless directed to do so by the Court or SCCID.

If you need anything further please let me know.

Sincerely,

J. Falkner Wilkes

c.
Isaac Starke, 355498
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Julie A. Coleman, Assistant Attorney General
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549
Attorney for Respondent

RECEIVED
NOV 14 2016
S.C. SUPREME COURT

Liz Goddard, Clerk of Court
Aiken County Clerk of Court
PO Box 583
Aiken, SC 29802-0583

Robert Michael Dudek
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29211

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM AIKEN COUNTY
COURT OF COMMON PLEAS
Robert E. Hood, Circuit Court Judge

Case No. 2014-CP-02-00792

Isaac Starke, #355498, ... Respondent,

v.

State of South Carolina, ... Appellant.

NOTICE OF APPEAL

Isaac Starke hereby appeals from the Order of Dismissal filed on November 7, 2016 in the above captioned case. The Order of Dismissal was signed by the Honorable Robert E. Hood, Circuit Court Judge, on November 1, 2016.

J. Falkner Wilkes, 12893
114 Whitsett Street
Greenville, SC 29601
(864) 282-1292
Counsel for Appellant

Other Counsel of Record:

Julie A. Coleman, Assistant Attorney General
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549
Attorney for Respondent

November 8, 2016.

RECEIVED
NOV 14 2016
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LAURENS COUNTY
COURT OF GENERAL SESSIONS
Frank R. Addy, Jr., Circuit Court Judge

Case No. 2014-GS-30-0499; 0500; 0501

State of South Carolina, ... Respondent,

v.

Deshanndon Markelle Franks, ... Appellant.

CERTIFICATE OF SERVICE

I certify that on November 8, 2016, I served Appellant's Notice of Appeal on the Respondent by placing a copy into the U.S. Mail, first class postage prepaid, addressed to the Respondent's counsel of record as follows, and by facsimile if indicated:

Julie A. Coleman, Assistant Attorney General
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549

Attorney for Respondent

and to:

Liz Goddard, Clerk of Court
Aiken County Clerk of Court
PO Box 583
Aiken, SC 29802-0583

Daniel E. Shearouse
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

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(864) 282-1292

Counsel for Appellant

November 8, 2016.

RECEIVED
NOV 14 2016
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA COUNTY OF AIKEN	)	IN THE COURT OF COMMON PLEAS SECOND JUDICIAL CIRCUIT
Isaac Starke, #355498,	)	2014 ~~2015~~-CP-02-00792
Applicant,	)	
v.	)	**ORDER OF DISMISSAL**
State of South Carolina,	)	FILED 11.7.16 C.C.C.P.&G.S.
Respondent.	)	

This matter comes before the Court by way of a post-conviction relief (PCR) application filed on April 7, 2014. Respondent submitted its Return on August 6, 2014. An evidentiary hearing into the matter was convened on September 20, 2016, and finished on September 23, 2016, at the Aiken County Courthouse. Applicant was present at the hearing and was represented by J. Faulkner Wilkes, Esquire. Respondent was represented by Assistant Attorney General Julie A. Coleman of the South Carolina Attorney General's Office.

I. PROCEDURAL HISTORY

The records before this Court indicate that Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Aiken County Clerk of Court. Applicant was true bill indicted at the March 2013 term of the Aiken County Grand Jury for one count of Criminal Sexual Conduct With a Minor – Second Degree (2013-GS-02-00406), and one count of Criminal Sexual Conduct With a Minor – Third Degree (2013-GS-02-00375). George Anderson, Esquire represented Applicant. On May 15, 2013, Applicant pled guilty as indicted before the Honorable Doyet A. Early, III. Judge Early sentenced Applicant without recommendations or negotiations to a fifteen year term of imprisonment for each charge, with all sentences to run concurrently. The Applicant did not appeal his guilty plea or sentence.

Applicant filed a timely application for post-conviction relief on April 7, 2014.

II. ALLEGATIONS

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

1. Ineffective Assistance of Counsel
    a. "Counsel failed to properly conduct discovery, obtain experts, have a proper evaluation of the Applicant, have adequate information presented to the court during the plea process, investigate, research, prepare for the case, and advise the Applicant adequately on the facts and law involved."
2. Involuntary guilty plea
    a. "The Applicant was not adequately advised as to the legal aspects of the plea and his rights to a trial. The Applicant was improperly coached and counseled as to what he was to say at the plea proceedings. The Applicant was misled by Counsel as to the existence of an agreement on the sentence, or what sentence he would receive. The Applicant was misled by counsel or others as to what representations would be made on his behalf and the effect that such representations would have in the case. The Applicant was led to believe that he would receive a specific sentence less than the court imposed. The Applicant was not capable of fully understanding the process or to enter a plea."
3. Brady Violation
    a. "The State had information that it failed to disclose to the Defendant that it was obligated to disclose. The State further misled the defense as to what position it would take, the sentence that it would recommend or that the Defendant would receive."

III. SUMMARY OF RELEVANT TESTIMONY PRESENTED

At the PCR hearing, Applicant testified on his own behalf. Applicant also presented testimony from Pastor David Belton, Jr. Respondent presented testimony from Assistant Solicitor Ashley Hammack, Assistant Solicitor Nicholas McCarley, and Plea Counsel George Anderson (hereinafter "Plea Counsel").

Applicant

At the evidentiary hearing, Applicant testified that he met with Plea Counsel a couple of times prior to his guilty plea. He stated that Plea Counsel never asked him about possible defenses for them to pursue, but he gave Plea Counsel leads and potential witnesses to investigate. Applicant stated that he recalled waiving his constitutional rights at the guilty plea, but he did it because Plea Counsel told him to. He recalled telling the plea judge that he was satisfied with his attorney's services, that no one was promising anything or threatening him to plead guilty, and that he wished to plead guilty because he was indeed guilty. However, he stated that he only said these things because Plea Counsel forced him to in order to get a four year deal. Applicant testified that he was not actually guilty of this crime.

Applicant testified that Plea Counsel was supportive of him at first, but then he told him that he was a child molester and he could not take him to open court because he was guilty. He stated that Plea Counsel told him that his wife would be arrested and his daughter would be taken away from him if he did not pay Plea Counsel money. Applicant testified that Plea Counsel represented him and his wife simultaneously on their criminal charges and in their DSS case in the Family Court, and that this was clearly a conflict of interest.

Applicant testified that Plea Counsel hired Dr. Joe Holt as a psychoanalyst to mentally evaluate him and give him psychosexual therapy. He stated that Plea Counsel promised him that the State would give him a four year sentence if he completed this psychosexual therapy, and he completed all eighteen sessions prior to his guilty plea. Applicant testified that he was supposed to be on medication at the time of the plea, but he did not take it the day of the plea, and missing his medication made him feel like he had no common sense. He stated that he no longer takes this medication and was not on the medication at the evidentiary hearing.

Applicant presented as an exhibit a letter written by the guardian ad litem who represented his daughter, the victim. He stated that this was exculpatory evidence, it was not given to him by the State, and if he had known this was going to be presented at the plea, he would not have pled guilty.

Pastor David Belton Jr.

Pastor David Belton Jr. testified that he met Applicant in 2006 when he joined his church. He stated that he was present before the plea, and though he did not talk directly to Applicant, Applicant's wife talked to him and made him believe that Applicant was offered some sort of deal to plead guilty. He stated that Plea Counsel told him that Applicant would receive a lesser sentence if he pled guilty.

Assistant Solicitor Ashley Hammack

Assistant Solicitor Ashley Hammack testified that she was the solicitor who prosecuted this case. She stated that Applicant was arrested on October 18, 2012, he had hired representation by the following week, and he was given all the discovery on November 7, 2012. She stated that this included an audio and video recorded statement of Applicant's confession to law enforcement. Ms. Hammack testified that she met with Plea Counsel on April 17, 2013 to discuss the case, and Nicholas McCarley and Dr. Joe Holt were present at the meeting. She stated at, at this meeting, she told Plea Counsel that she intended to try the case, and he asked her for a plea offer.

Ms. Hammack testified that Applicant was true bill indicted for one count of Criminal Sexual Conduct second degree and four counts of Criminal Sexual Conduct third degree. She stated that she agreed with Plea Counsel to drop three of the charges if Applicant pled guilty, and he pled to one count of CSC second degree and one count of CSC third degree with no

recommendations. She stated that there was never any discussion or offer of a four year deal. Ms. Hammack stated that Applicant confessed his guilt to law enforcement, and there was no need to offer a plea deal because this was a very strong case.

Ms. Hammack explained that there was never any question of Applicant's mental competency. She stated that he acted completely competent at the plea, which was very different from his behavior at the PCR evidentiary hearing. Ms. Hammack explained that she was given the guardian ad litem's letter for the first time right before the guilty plea. She stated that Applicant's wife was never charged with any criminal charges in relation to this case.

Assistant Solicitor Nicholas McCarley

Assistant Solicitor Nicholas McCarley testified he was present at the meeting with Ms. Hammack and Plea Counsel on April 17, 2013. He stated that Plea Counsel asked for a plea offer, and Ms. Hammack agreed to dismiss three of the charges against Applicant in exchange for his guilty plea. He stated that there was never any offer or discussion of a four year deal at this meeting.

Plea Counsel

Plea Counsel testified that he had been practicing law for fifty-one years. He stated that he met with Applicant between eight and ten times prior to his guilty plea. He stated that they discussed Applicant's version of the facts and that he admitted that he had sexually abused his sixteen-year-old daughter. Plea Counsel stated that he had Applicant evaluated for mental competency and he was found to be competent. He stated that Applicant never told him that he did not understand something at the plea, and he believed that Applicant fully understood what he was doing. At the plea, Applicant denied to the judge an element of the crime, and they had a brief discussion off the record to discuss his decision. Plea Counsel testified that during that

discussion, he told Applicant, "If you are offered a plea and you are guilty of the charge, then you should accept the plea."

Plea Counsel testified that there was never any offer or discussion of a four year deal. He stated that Applicant understood their discussion about the lack of a plea offer. He said he did not tell Applicant anything to lead him to believe there was a four year deal. He explained that the statute allows a sentence of anywhere from zero to twenty years imprisonment, and Applicant well understood that.

Plea Counsel testified that he represented Applicant and his wife in Family Court, but it did not create any conflict of interest because they were both aligned in their goals at that time. He stated that he never represented Applicant's wife on criminal charges.

IV. APPLICABLE LAW

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, 466 U.S. 668, (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 pleas, 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. Hill v. Lockhart , 474 U.S. 52, 106 S.Ct. 366 (1985).

V. 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).

As a matter of general impression, this Court finds Applicant's testimony and assertions to be not credible. In contrast, this Court finds Counsel's testimony to be credible and persuasive. These credibility findings have been applied to the Court's findings and conclusions set forth below.

INEFFECTIVE ASSISTANCE OF COUNSEL

Applicant alleges Counsel was ineffective in his advice surrounding his guilty plea. In post-conviction relief cases, an applicant asserting a constitutional violation must frame the issue

as one of ineffective assistance of counsel. See Al-Shabazz v. State, 338 S.C. 354, 363, 527 S.E.2d 742, 747 (1999) (citing Drayton v. Evatt, 312 S.C. 4, 9, 430 S.E.2d 517, 520 (1993)). An applicant 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 applicant would not have pled guilty and would have insisted on going to trial. Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2001) (citations omitted). An applicant alleging his guilty plea was induced by ineffective assistance of counsel must prove that counsel's advice was not "within the range of competence demanded of attorneys in criminal cases." Hill v. Lockhart, 474 U.S. 52, 56, 106 S. Ct. 366, 369 (1985).

Applicant has failed to meet his burden in proving Plea Counsel was ineffective in any regard. This Court finds that Plea Counsel properly relayed the State's plea negotiations and went over the discovery with Applicant, as well as fully explained the possible outcomes in sentencing.

The record and the testimony clearly show that Plea Counsel represented Applicant well beyond the minimum standards of professional norms. Applicant admitted both to Plea Counsel and to law enforcement that he was guilty of the crime, and Plea Counsel actively negotiated to get some kind of bargain on Applicant's behalf. Plea Counsel succeeded in having the State drop three of the charges against him in exchange for Applicant's guilty plea. This Court finds very credible Plea Counsel's testimony that he never made any indication that Applicant would receive a four year sentence in exchange for his guilty plea.

Furthermore, this Court finds that Applicant has not shown that he was prejudiced by any of Plea Counsel's actions as he has failed to show that he would not have pled guilty but would have gone to trial but for Plea Counsel's actions. Accordingly this allegation must be dismissed.

Because Applicant has failed to meet his burden of proof for both prongs on the Strickland test, this allegation is denied and dismissed with prejudice.

INVOLUNTARY GUILTY PLEA

Applicant argues his plea was not given freely and voluntarily. This Court finds otherwise and concludes that Applicant's plea was entered freely and voluntarily. To find a guilty plea is voluntarily and knowingly entered into, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him. Boykin v. Alabama, 395 U.S. 238, 89 S. Ct. 1709, 23 L.Ed.2d 274 (1969). Defendant's knowing and voluntary waiver of statutory or constitutional rights must be established by a complete record, and "may be accomplished by colloquy between court and defendant, between court and defendant's counsel, or both." Roddy v. State, 339 S.C. 29, 34, 528 S.E.2d 418, 421 (2000) (citing State v. Ray, 310 S.C. 431, 437, 427 S.E.2d 171, 174 (1993)). A guilty plea is a solemn, judicial admission of the truth of the charges against an individual; thus, a criminal inmate's right to contest the validity of such a plea is usually, but not invariably, foreclosed. Dalton v. State, 376 S.C. 130, 137-38, 654 S.E.2d 870, 874 (Ct. App. 2007) (citing Blackledge v. Allison, 431 U.S. 63, 97 S. Ct. 1621, 52 L.Ed.2d 136 (1977)). Therefore, statements made during a guilty plea should be considered conclusive unless a criminal inmate presents valid reasons why he should be allowed to depart from the truth of his statements. Crawford v. United States, 519 F.2d 347 (4th Cir.1975).

Applicant claims his plea was given involuntarily because Plea Counsel misled him as to the sentence he would receive in exchange for his guilty plea. Applicant claims he was promised a four year sentence by Plea Counsel which he did not receive. This Court finds that this allegation is untrue. Applicant was never promised or offered a four year deal in exchange for his guilty plea, and there is absolutely no evidence in the record or the testimony presented to

support his reliance on this idea. This Court finds that the record reflects that Applicant was fully advised of the rights he was giving up by pleading guilty. Applicant presented no credible evidence as to why he should be able to depart from his statements at the plea hearing. This Court finds very credible Plea Counsel's testimony that he advised Applicant of all facts and risks of pleading guilty, including the potential length of his sentence. Furthermore, there is no credible evidence to support Applicant's claim that he was not mentally competent to waive his rights by pleading guilty.

The record reflects Applicant fully admitted his guilt to the plea court. "A guilty plea constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights." Jamison v. State, 410 S.C. 456, 467, 765 S.E.2d 123, 129 (2014) (citing State v. Rice, 401 S.C. 330, 331-32, 737 S.E.2d 485, 485-86 (2013); Hyman v. State, 397 S.C. 35, 44, 723 S.E.2d 375, 379 (2012)). Notably the South Carolina Supreme Court has held "[a] guilty plea represents a break in the chain of events which has preceded it in the criminal process." Id. (citations omitted). "When a criminal defendant has solemnly admitted in open court that he is in fact guilty of the offense with which he is charged, he may not thereafter raise independent claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea." Id. (citing Rice, 401 S.C. at 332, 737 S.E.2d at 486). Therefore, this Court finds the plea judge correctly found Applicant's plea was freely, voluntary, and intelligently made. Accordingly, this allegation must be denied and dismissed with prejudice.

BRADY VIOLATION

This Court finds that Applicant has failed to present any credible evidence on his allegation of a Brady violation.

Brady v. Maryland, 373 U.S. 83 (1963), requires the State to disclose evidence in its possession favorable to the accused and material to guilt or punishment. Clark v. State, 315 S.C.385, 388, 434 S.E.2d 266, 268 (1993). A Brady claim is based upon the requirement of due process. Such a claim is complete if the accused can demonstrate (1) the evidence was favorable to the accused, (2) it was in the possession of or known to the prosecution, (3) it was suppressed by the prosecution, and (4) it was material to guilt or punishment. Gibson v. State, 334 S.C. 515, 524, 514 S.E.2d 320, 324 (1999). Impeachment or exculpatory evidence is material only if there is a reasonable probability that, had the evidence been disclosed to the defense, the result of the proceeding would have been different. Clark, 315 S.C. at 388, 434 S.E.2d at 268 (citing U.S. v. Bagley, 473 U.S. 667 (1985).

The State provided Applicant and Plea Counsel with all discovery materials on November 7, 2012, well before his trial. Applicant has not shown that they withheld any exculpatory evidence or misled him in any manner. The State offered no plea deal and Applicant knowingly pled guilty to the charge without negotiations or recommendations.

Applicant alleged that the State withheld the letter from the guardian ad litem from him and that this letter was exculpatory, and if he had it would be presented at the guilty plea, he would not have pled guilty but would have gone to trial. This allegation is meritless because it fails to meet any of the elements required of Applicant's burden of proof as listed in Gibson. The letter was not exculpatory; if anything, it was inculpatory evidence. It was not in the State's possession and the solicitor did not know about it until right before the plea, at the same time Applicant learned of its existence. This letter was not suppressed in any manner by the State. Finally, under the definition of materiality in Clark, the letter was not material to Applicant's guilt and punishment because it was not the sole piece of evidence proving his guilt and would

not have changed the outcome of the proceeding. The letter was used against him at the sentencing, but it was properly admitted and there was no way to keep the letter out. Therefore, the admission of this letter was not a Brady violation.

Applicant has failed to meet his burden of proof, and this allegation is denied and dismissed with prejudice.

ALL OTHER ALLEGATIONS

As to any and all allegations that were raised in the application or at the hearing in this matter and not specifically addressed in this Order, this Court finds the Applicant failed to present any testimony, argument, or evidence at the hearing regarding such allegations. Accordingly, this Court finds the Applicant has abandoned any such allegations.

VI. 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.

This Court notes that Applicant must file and serve a notice of appeal within thirty 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 post-conviction relief. Rule 71.1(g), SCRCP, provides that if the applicant wishes to seek appellate review, post-conviction relief counsel must serve and file a Notice of Appeal on the Applicant's behalf. Applicant 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 is denied and dismissed with prejudice; and

2. The Applicant must be remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 1st day of Nov, 2016.

Re Hood

ROBERT E. HOOD
Presiding Judge
Second Judicial Circuit

Columbia, South Carolina

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2014CP0200792

Isaac Starke		**South Carolina State Of**	

PLAINTIFF(S) **DEFENDANT(S)**

Submitted by: **Attorney for:** ☐ Plaintiff ☐ Defendant ☐ Self-Represented Litigant

DISPOSITION TYPE (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. ☐ See Page 2 for additional information.

☐ **ACTION DISMISSED (*CHECK REASON*):** ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other: _____

☐ **ACTION STRICKEN (*CHECK REASON*):** ☐ Rule 40(j) SCRCP; ☐ 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; (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☐ ends ☐ does not end the case.
Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

11/7/2016

Circuit Court Judge **Judge Code** **Date**

For Clerk of Court Office Use Only

This judgment was entered on **11-7-16**, and a copy mailed first class or placed in the appropriate attorney's box on **11-7-16**, to attorneys of record or to parties (when appearing pro se) as follows:

J. Falkner Wilkes 114 Whitsett St. Greenville, SC 29601

Julie Coleman P.O Box 11329 110 Centerview Drive, Kingstree Building Columbia, SC 29211-1329

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Liz Godard - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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Attorney-at-Law
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Hon. Daniel E. Shearouse
Clerk of Court
1231 Gervais Street
Columbia, South Carolina 29201