

**FOWLER**  
**Law Firm**

*Fowler Fights For You*

Steven W. Fowler  
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February 17, 2017

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

**RECEIVED**

FEB 24 2017

S.C. SUPREME COURT

**RE: Gibson v. State of SC 2015-CP-26-530**  
**Vanderhorst v. State of SC 2015-CP-22-0787**  
**Bell v. State of SC 2015-CP-26-5512**  
**Johnson v. State of SC 2014-CP-22-1128**

Dear Sir or Madam:

Enclosed for filing are Notices of Appeal for the above four (4) cases.

**FOWLER LAW FIRM**

*Patti*

Patricia F. Clapper  
Advanced Certified Paralegal  
NC Certified Paralegal

cc: Ms. Valerie Garcia Giovanoli  
Horry County Clerk of Court  
Georgetown County Clerk of Court

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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FEB 24 2017

APPEAL FROM HORRY COUNTY

S.C. SUPREME COURT

Court of Common Pleas

The Honorable Paul M. Burch, Circuit Court Judge

Case No. 2015-CP-26-530

Troy Gibson #337496, ..... Petitioner,

v.

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

NOTICE OF APPEAL

The Petitioner appeal the Honorable Paul M. Burch's Order dated August 1, 2016, denying post conviction relief to the Petitioner. The Order was received by the undersigned counsel on February 3, 2017 . A copy of the Order on appeal is attached to this notice.



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1293 Professional Drive, Suite D  
Myrtle Beach SC 29577  
843-663-0006

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**FEB 24 2017**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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APPEAL FROM HORRY COUNTY

Court of Common Pleas

The Honorable Paul M. Burch, Circuit Court Judge

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Case No. 2015-CP-26-530

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Troy Gibson #337496, ..... Petitioner,

v.

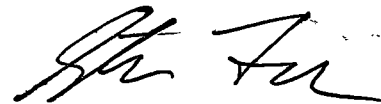
State of South Carolina, ..... Respondent.

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**PROOF OF SERVICE**

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I, Steven A. Fowler, appointed attorney for Petitioner, certify that I have today served within Notice of Appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to the Assistant Attorney General, PO Box 11549, Columbia, SC 29211 I further certify that all parties required by Rule to be served have been served this ~~17~~ day of February, 2017.



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Myrtle Beach SC 29577  
843-663-0006

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
Troy T. Gibson, #337496, )  
Applicant, )  
v. )  
State of South Carolina, )  
Respondent. )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT

Case No.: 2015-CP-26-530

**ORDER OF DISMISSAL**

2016 SEP 13 PM 1:17  
CLERK OF COURT

This matter comes before the Court by way of an Application for Post-Conviction Relief filed January 23, 2015. The Respondent made its Return on June 22, 2015, requesting an evidentiary hearing be held. A hearing was convened at the Horry County Courthouse on May 9, 2016, at which time Applicant was present in court and represented by Steven W. Fowler, Esquire. Respondent was represented by Assistant Attorney General Caitlin B. Hastings of the South Carolina Attorney General's Office. At the hearing, Applicant and his attorney informed this Court that Applicant wished to withdraw his application for post-conviction relief with prejudice.

Applicant was sworn and questioned by the Court about his withdrawal request to ensure that the withdrawal of the application was free and voluntary and that Applicant had not been promised anything or threatened, coerced, or induced into withdrawing the application. Applicant stated that he was fully satisfied with the services of his attorney in this matter and that he had enough time to discuss this matter thoroughly with his counsel. Applicant was also advised by the Court of the consequences of a withdrawal of his application, including forfeiture of any appellate or federal actions regarding collateral attack on his conviction. Following this

*PMB*


Court's colloquy with Applicant regarding withdrawal of his application, Applicant requested that the Court withdraw his application for post-conviction relief.

Based upon the Applicant's testimony, this Court finds that the dismissal of this application for post-conviction relief is voluntary and that Applicant has knowingly and intelligently elected to have his application dismissed with prejudice.

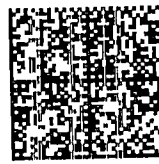
**IT IS THEREFORE ORDERED:**

1. That the application for post -conviction relief be dismissed with prejudice; and
2. That Applicant remains remanded to the custody of the Respondent.

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

  
PAUL M. BURCH  
Presiding Judge  
Fifteenth Judicial Circuit

Austerfield, South Carolina



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