

THE

GIESE

LAW FIRM, LLC

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MAY 01 2017

S.C. SUPREME COURT

April 27, 2017

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

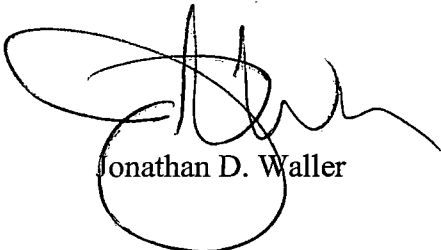
Re: Anthony Tyrone Williamson vs. State of South Carolina
C/A No: 2014-CP-21-01938

Dear Mr. Shearouse:

Please find enclosed one (1) original and one (1) copy each of Applicant's Notice of Appeal and Certificate of Service in the above referenced case. I would appreciate you filing the original and returning the clocked copies in the enclosed envelope.

I was appointed to represent Mr. Williamson in this matter and am also enclosing a copy of the Order of Dismissal and the Order Denying Applicant's Motion to Alter or Amend. If you have any questions, please do not hesitate to ask. My telephone number is 803-708-6767.

Sincerely,



Jonathan D. Waller

Cc: Johanna C. Valenzuela, South Carolina Office of Attorney General

Enclosures

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM FLORENCE COUNTY
William H. Seals, Jr., Circuit Court Judge

2014-CP-21-1938

Anthony Tyrone Williamson, #303726,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Anthony Tyrone Williamson, #303726, appeals the Order of Dismissal denying his Application for Post-Conviction Relief filed February 15, 2017 issued by the William H. Seals, Jr., Presiding Judge, Twelfth Judicial Circuit and the Order-Denying Applicant's Motion to Alter or Amend filed April 3, 2017 issued by the Honorable William H. Seals, Jr., Presiding Judge, Twelfth Judicial Circuit.



Jonathan D. Waller

Giese Law Firm

SC Bar No.: 76290

1315 Blanding Street

Columbia, SC 29201

803-708-6767 (phone)

803-708-6769 (fax)

jonathanwallerlaw@gmail.com

ATTORNEY FOR PETITIONER

This 27 day of April, 2017.

Other Counsel of Record:

Johanna C. Valenzuela, Senior Assistant Deputy Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3319

STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

MAY 01 2017

APPEAL FROM FLORENCE COUNTY
William H. Seals, Jr., Circuit Court Judge

S.C. SUPREME COURT

2014-CP-21-1938

Anthony Tyrone Williamson, #303726,

Appellant,

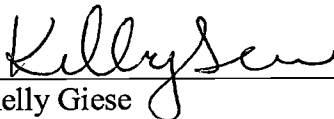
v.

STATE OF SOUTH CAROLINA,

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the Appellant's Notice of Appeal in the above-entitled case has been served upon opposing counsel, Johanna C. Valenzuela, Senior Assistant Deputy Attorney General, by mailing in an envelope properly addressed with postage prepaid on this 27th day of April, 2017, to her office located at P.O. Box 11549, Columbia, SC 29211.



Kelly Giese

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

FILED

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2014CP2101938

Anthony Tyrone Williamson

2017 FEB 16 PM 2:47
South Carolina State Of

PLAINTIFF(S)

DORIS POULOS O'HARA
CCCP & DEFENDANT(S)
FLORENCE COUNTY, SC

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), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; 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.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

Judge Code

2/16/2017

Date

For Clerk of Court Office Use Only

CERTIFIED: A TRUE COPY
Clerk of Court
FLORENCE COUNTY, S.C.
P. & G. S.

This judgment was entered on February 15, 2017, and a copy mailed first class or placed in the appropriate attorney's box on February 17, 2017, to attorneys of record or to parties (when appearing pro se) as follows:

Jonathan D Waller 1315 Blanding Street Columbia, SC
29201

Lindsey Ann McCallister PO Box 11549 Columbia, SC
29211-1549

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Doris P. O'Hara

Court Reporter

Doris Poulos O'Hara - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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.

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
)
 COUNTY OF FLORENCE) FOR THE TWELFTH JUDICIAL CIRCUIT
)
 Anthony T. Williamson,) C.A. No. 2014-CP-21-1938
 S.C.D.C. No. 303726,)
)
 Applicant,)
)
 v.) ORDER OF DISMISSAL
)
 State of South Carolina,)
)
 Respondent.)

FILED
 2017 FEB 15 PM 12:55
 COURT CLERK J. O'HARA
 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed July 14, 2014. An evidentiary hearing into the matter was convened on August 10, 2016, at the Florence County Courthouse. Applicant was present and represented by Jonathan Waller, Esquire. Respondent was represented by Senior Assistant Deputy Attorney General Johanna C. Valenzuela.

Applicant and Applicant's plea counsel, William V. Meetze, Esquire, testified at the hearing. This Court also had before it all relevant pleadings and documents, the Clerk of Court records for Florence County, the South Carolina Department of Corrections' records, Applicant's appellate records, and Applicant's trial transcript.

PROCEDURAL HISTORY

Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the Florence County Clerk of Court's orders of commitment. Applicant was indicted at the January 2008 term of the Florence County Grand Jury for trafficking in cocaine base and possession of cocaine base with intent to distribute (PWID) (2008-GS-21-0317). Applicant was also indicted at the March 2009 term of the Florence County Grand Jury distribution of cocaine

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 J. O'HARA
 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.

base, distribution of cocaine base within proximity of a park, trafficking in cocaine base, possession of cocaine base with intent to distribute, and possession of cocaine base with intent to distribute within proximity of a park (2009-GS-21-0334).

On April 13, 2009, Applicant was tried *in absentia* and without counsel before the Honorable Ralph King Anderson, Jr, on the charges contained in indictment number 2008-GS-21-0317. The jury found Applicant guilty, and Judge Anderson sealed Applicant's sentences.

On April 29, 2009, Applicant was tried *in absentia* before the Honorable Michael G. Nettles, but this time he was tried on the charges contained in indictment number 2009-GS-21-0334. Applicant was represented by Vick Meetze, Esquire. The jury convicted Applicant of trafficking in cocaine base, third offense, and Judge Nettles sealed Applicant's sentence.

On October 29, 2009, Applicant appeared before Judge Anderson. Applicant was represented at the sentencing hearing by Vick Meetze, Esquire. Judge Anderson unsealed the verdict forms and sentenced Applicant to concurrent terms of ten (10) years imprisonment for PWID and fifteen (15) years imprisonment for trafficking on indictment number 2008-GS-21-0317. Applicant was also sentenced to a concurrent twenty-five (25) year term of imprisonment for the conviction on indictment number 2009-GS-21-0334.

Applicant filed a timely Notice of Appeal. An appeal was perfected by Elizabeth A. Franklin-Best, Esquire, of the South Carolina Commission on Indigent Defense. The South Carolina Court of Appeals affirmed Applicant's convictions and sentences. State v. Williamson, 2012-UP-089 (filed February 22, 2012). Applicant filed a Petition for Rehearing which was denied by Order filed May 4, 2012.

Applicant subsequently filed a Petition for a Writ of Certiorari with the South Carolina Supreme Court. Applicant was represented by Dayne C. Phillips, Esquire, of the South Carolina

Commission on Indigent Defense. By Order dated October 18, 2013 and filed October 21, 2013, the South Carolina Supreme Court denied Applicant's petition. The Remittitur was sent on October 25, 2013 and filed October 28, 2013.

Applicant subsequently filed a Petition for a Writ of Certiorari in the Supreme Court of the United States on January 16, 2014. Applicant's counsel of record was Carmen V. Ganjehsani, Esquire, of the South Carolina Commission on Indigent Defense. By Order dated June 16, 2014, the Supreme Court denied Applicant's petition.

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

1. Ineffective assistance of counsel.
 - a. Failure to object to both of Applicant's trials in absentia.
 - b. Inadequate preparation prior to trial.
2. Trial Court Errors.
 - a. Failure of trial court to have an attorney present for April 22, 2009 jury selection.
 - b. Failure of trial court on April 22, 2009 to declare a mistrial based on Officer Drulis' testimony.
 - c. Failure of April 13, 2009 trial court to determine whether Applicant knowingly and intelligently waived his right to counsel under Faretta v. California.

SUMMARY OF THE TESTIMONY

This case involves two separate trials in absence. One trial was on April 13, 2009, and the Honorable Ralph King Anderson presided over the trial. Applicant was not present and had no counsel in that trial. The second trial was on April 22, 2009, and the Honorable Michael Nettles presided over the trial. Applicant was not present for that trial; however, Judge Nettles appointed Trial Counsel, Vick Meetze, to represent Applicant.

At the PCR hearing, Applicant testified he hired the Gardner Law Firm to represent him when he was first arrested. Applicant claimed he fled to Washington, D.C. before his trials

because he was in fear for his life. On cross-examination, he confirmed he had several prior convictions dating back to the 1990s. Applicant complained of Trial Counsel's failure to object to the two trials in absence at the sentencing hearing and to Trial Counsel's failure to move for a continuance at the April 22, 2009 trial when he was not prepared to take the case to trial.

Trial Counsel explained he had no involvement in the April 13, 2009 trial. He was, however, appointed by Judge Nettles to handle the April 22, 2009 trial after the jury had been selected. Trial Counsel agreed he tried the April 22, 2009 case on the same day he was appointed by Judge Nettles. Trial Counsel explained that because he had been previously appointed to represent Applicant on a separate charge, the State had sent Trial Counsel discovery for all of Applicant's pending cases, even those in which he was not the counsel of record. Trial Counsel confirmed the discovery he received included discovery on the charges related to the April 22, 2009 trial. Trial Counsel also confirmed he did have an opportunity to review that discovery prior to the April 22, 2009 trial. Trial Counsel further noted that during his representation of Applicant on the separate charge in which he was counsel of record, Trial Counsel never received any phone calls, letter, or visits from Applicant.

Trial Counsel explained that when Judge Nettles appointed him to represent Applicant on the April 22, 2009 trial, Trial Counsel moved to be relieved, arguing he never met Applicant and arguing he had not been present for jury selection. That motion was denied. Trial Counsel did not make a separate motion for a continuance. After the verdict, Trial Counsel made post-trial motions, but he did not make those at the sentencing hearing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Ineffective Assistance of Counsel

Applicant alleges he received ineffective assistance of counsel when counsel failed to

object to Applicant's trial in absence.

In a PCR action, "[t]he burden of proof is on the applicant to prove his allegations by a preponderance of the evidence." Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002) (citing Rule 71.1(e), SCRCF). Where ineffective assistance of counsel is alleged as a ground for relief, 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, 104 S.Ct. 2052, 2064 (1984); Butler v. State, 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. at 441, 334 S.E.2d at 813. Applicant must overcome this presumption to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

First, 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, 466 U.S. at 668, 104 S.Ct. at 2064). Second, counsel's deficient performance must have prejudiced 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.

"It is well established that, although the Sixth Amendment of the United States Constitution guarantees the right of an accused to be present at every stage of his trial, this right may be waived, and a defendant may be tried in his absence." State v. Ravenell, 387 S.C. 449, 455-56, 692 S.E.2d 554, 557-58 (Ct. App. 2010) (citing State v. Fairey, 374 S.C. 92, 99, 646

S.E.2d 445, 448 (Ct.App.2007); State v. Goode, 299 S.C. 479, 481, 385 S.E.2d 844, 845 (1989)). See also, Rule 16, SCRCrimP (“Except in cases wherein capital punishment is a permissible sentence, a person indicted for misdemeanors and/or felonies may voluntarily waive his right to be present and may be tried in his absence upon a finding by the court that such person has received notice of his right to be present and that a warning was given that the trial would proceed in his absence upon a failure to attend the court.”). “A trial judge must determine a criminal defendant voluntarily waived his right to be present at trial in order to try the defendant in his absence.” Id. (citing State v. Patterson, 367 S.C. 219, 229, 625 S.E.2d 239, 244 (Ct.App.2006)); see also, State v. Jackson, 288 S.C. 94, 95, 341 S.E.2d 375, 375 (1986)). The judge must make findings of fact on the record that the defendant (1) received notice of his right to be present and (2) was warned he would be tried in his absence should he fail to attend. Id.

“The Sixth Amendment to the Constitution requires that in all criminal prosecutions, the accused shall have the right to the assistance of counsel. U.S. Const. amend. VI. Courts have recognized three ways in which a defendant may relinquish his right to counsel: (1) waiver by an affirmative, verbal request; (2) waiver by conduct; and (3) forfeiture.” State v. Roberson, 382 S.C. 185, 187, 675 S.E.2d 732, 733 (2009) (citing State v. Boykin, 324 S.C. 552, 556, 478 S.E.2d 689, 690 (Ct. App. 1996)).

In State v. Cain, 277 S.C. 210, 284 S.E.2d 779 (1981), this Court held “that a waiver of the right to counsel may be inferred from a defendant's actions.” State v. Roberson, 382 S.C. 185, 187, 675 S.E.2d 732, 733 (2009). In that case, this Court noted “the appellant failed to fulfill the conditions of his appearance bond and neglected to keep in contact with the court, though he was aware of his impending trial date.” Id. (citing Cain, 277 S.C. at 210–11, 284 S.E.2d at 779).

In State v. Jacobs, 271 S.C. 126, 245 S.E.2d 606 (1978), this Court held a waiver of the right to counsel can be inferred from a defendant's actions where the appellant "failed to fulfill the conditions of his appearance bond and neglected to keep contact with his attorney, although he knew his trial was imminent." State v. Cain, 277 S.C. 210, 210-11, 284 S.E.2d 779, 779 (1981) (citing Jacobs, 271 S.C. at 126, 245 S.E.2d at 606.

***Failure to object to both of Applicant's trials in absentia &
Failure to move for a continuance or be prepared for trial***

In the present cases, Applicant signed bond forms, which contained the requirement to appear at court until final disposition of his case. (Trial Tr. Apr. 22, 2009, p. 19, ll. 7-25; Trial Tr. Apr. 13, 2009, p. 15, l. 11-p. 16, l. 3-p. 17, l. 4.) A bench warrant was issued for Applicant on December 18, 2008, for the April 22 trial **and** on March 10, 2009 for the April 13 trial. (Trial Tr. Apr. 22, 2009, p. 21, ll. 1-12; Trial Tr. Apr. 13, 2009, p. 16, ll. 4-13.) Before the April 2009 trial, Applicant's bondsman traveled to the Washington, D.C. area in an attempt to locate Applicant before the trial. (Trial Tr. Apr. 22, 2009, p. 21, ll. 20-24.) Applicant also had a familiarity with the court system based on his prior criminal history. In a separate case that Trial Counsel represented Applicant on, Applicant failed to communication with Trial Counsel. (Trial Tr. Apr. 22, 2009, p. 23, ll. 18-25.) Applicant also failed to appear for not one but two trials. Pursuant to Cain, Jacobs, and Roberson, Applicant's disregard for the court's instructions and inexcusable absence from trial resulted in a waiver of his right to counsel through his conduct.

Furthermore, where counsel knew Applicant had signed bond paperwork and had fled the jurisdiction, there was no basis for an objection on the trials moving forward without Applicant present. Applicant admitted fleeing the jurisdiction at sentencing (Sentencing Tr. Oct. 29, 2009, p. 10, ll. 6-25); and he had been informed that he must appear for trial to comply with his bond conditions. Bench warrants were issued prior to both trials, and the State informed the trial court

that the bondsman had even traveled to the Washington, D.C. area in search of Applicant. Even had counsel objected to the trials in absence at the sentencing, Applicant has failed to prove any prejudice resulted from counsel failing to object to the trial in absence at the sentencing hearing.

As to Applicant's allegation that Trial Counsel was ineffective for failing to move for a continuance, this Court finds there was no likelihood of success for a separate motion for a continuance. Trial Counsel did move to be relieved and Judge Nettles denied Trial Counsel's motion. Additionally, there was information about a pending bench warrant against Applicant since December of 2008, and there was testimony that Applicant could not be found despite attempts by the bondsman to locate him in the Washington, D.C. area.

Accordingly, this Court finds Applicant waived his right to counsel and cannot now challenge the absence or quality of representation he received at his trials in absence. Further, Applicant has failed to prove the first prong of the Strickland test: that Counsel failed to render reasonably effective assistance under prevailing professional norms. Applicant failed to present specific and compelling evidence that Counsel committed either errors or omissions in his representation of Applicant. This Court also finds Applicant has failed to prove the second prong of Strickland: that he was prejudiced by Counsel's performance.

Trial Court Errors

Additionally, this Court dismisses Applicant's allegations of trial court errors as barred by the doctrine of *res judicata*. *Res judicata* prohibits subsequent actions by the same parties on the same issues. Bell v. Bennett, 307 S.C. 286, 414 S.E.2d 786 (Ct. App. 1992). A final judgment on the merits in a prior action bars subsequent consideration of those issues in a new action. Foran v. USAA Casualty Ins. Co., 311 S.C. 189, 427 S.E.2d 918 (Ct. App. 1993). *Res judicata* also bars any issues that could have been raised in the former action. Id. This application presents

allegations that could have been and were raised in Applicant's direct appeal. The public interest in finality of judgments requires that litigation must eventually come to an end.

Therefore, having reviewed the pleadings, considered the applicable law, reflected upon the testimony and evidence at the plea, and considered the arguments of counsel, this Court finds Applicant is not entitled to relief.

CONCLUSION

Based on all the foregoing, this Court finds and concludes 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 notifies Applicant that he must file and serve a notice of appeal within thirty (30) 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 PCR. Rule 71.1(g), SCRCP, provides that if the applicant wishes to seek appellate review, PCR counsel must serve and file a Notice of Appeal on Applicant's behalf. Your attention 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 must be denied and dismissed with prejudice; and
2. Applicant must be remanded to the custody of Respondent.


IT IS SO ORDERED.



WILLIAM H. SEALS, JR.
Presiding Judge
Twelfth Judicial Circuit

2/11/2017 (date)
Masi, South Carolina

FILED
2017 FEB 15 PM 12:55
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

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CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

STATE OF SOUTH CAROLINA)
 COUNTY OF FLORENCE)
)
)
 Anthony T. Williamson, #303726,)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 IN THE TWELFTH JUDICIAL CIRCUIT

2014-CP-21-1938

**ORDER DENYING APPLICANT'S
 MOTION TO ALTER OR AMEND**

FILED
 2017 APR -3 PM 4:27
 CLERK OF COURT
 FLORENCE COUNTY, SC

This matter comes before the Court by way of an Application for post-conviction relief (PCR) filed July 14, 2014. The Court convened an evidentiary hearing into the matter on August 10, 2016, at the Florence County Courthouse. Applicant was present at the hearing and was represented by Jonathan D. Waller, Esquire. Respondent was represented by Johanna C. Valenzuela, Esquire, of the South Carolina Attorney General's Office. The Court denied relief by written Order filed February 15, 2017. On February 24, 2017, Applicant filed a "Motion Pursuant to Rule 59 (e) SCRPC to Amend." Respondent made its return to the motion, requesting the motion be denied.


After careful consideration of the arguments of Counsel and review of the record, this Court is unable to discover any material fact or principle of law that has either been overlooked or disregarded, and further finds no error of law or fact not appropriately considered. The Order of Dismissal issued by this Court contains the appropriate findings of fact and conclusions of law as required by section 17-27-80 of the South Carolina Code of Laws and Rule 52(a) of the South

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Paula Offner
 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.

Carolina Rules of Civil Procedure. Accordingly, Applicant's Motion pursuant to Rule 59(e), SCRPC, is DENIED.¹

IT IS THEREFORE ORDERED that Applicant's motion is hereby **DENIED AND DISMISSED**.

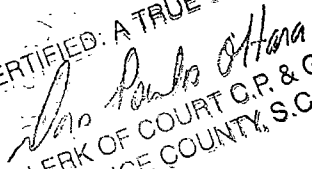
AND IT IS SO ORDERED this 27 day of March, 2017.



THE HONORABLE WILLIAM H. SEALS, JR.
Presiding Judge
Twelfth Judicial Circuit

Mani, South Carolina

FILED
2017 APR -3 PM 4:21
DOUGLAS R. HILL, CLERK
COURT OF COMMON PLEAS
FLORENCE COUNTY, SC

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CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

¹ Pursuant to Rule 59(f), SCRPC, the Court, in its discretion, has determined this motion on the submissions of the parties without the need for oral argument.

