

Law Office of Leah B. Moody, LLC

Leah B. Moody
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235 East Main Street, Suite 115
Post Office Box 1015 (29731)
Rock Hill, South Carolina 29730
Telephone (803) 327-4192
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RECEIVED

July 5, 2017

JUL 11 2017

Mr. Daniel E. Shearouse
The Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29221

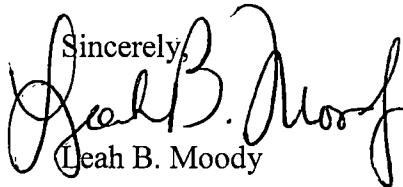
S.C. SUPREME COURT

RE: Jonathan Leon Simpson, #318626, v. State of South Carolina
Case No.: 2016-CP-11-0348

Dear Mr. Shearouse:

The York County Court of Common Pleas appointed my office to represent Jonathan Leon Simpson in his Post-Conviction Relief action. Please find enclosed for filing the original and one (1) copy of the **Notice of Appeal, Proof of Service, and the Consent Order Granting an Appeal Pursuant to *Austin v. State*** in the above-referenced case. Please return the clocked copies to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance with this matter.

Sincerely,

Leah B. Moody

Enclosure

cc Jonathan Leon Simpson
Justin J. Hunter, Esquire
Sharon Graham, SCCID
Brandy W. McBee, Clerk of Court, Cherokee County

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

JUL 11 2017

APPEAL FROM CHEROKEE COUNTY S.C. SUPREME COURT
Court of Common Pleas

J. Derham Cole, Presiding in Spartanburg County

Case No. 2016-CP-11-0348

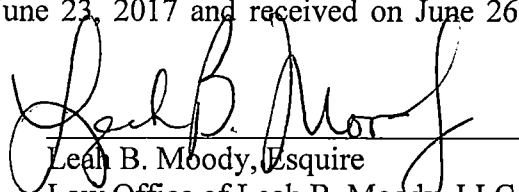
Jonathan Leon Simpson, Appellant,

v.

State of South Carolina, Respondent.

NOTICE OF APPEAL

Jonathan Leon Simpson appeals pursuant to Austin v. State, Order (2009-CP-11-0992) of the Honorable Roger L. Couch denying Post Conviction Relief, dated March 24, 2010. Appellant received written notice of entry of the Consent Order Granting an Appeal pursuant to Austin v. State mailed on June 23, 2017 and received on June 26, 2017.


Leah B. Moody, Esquire
Law Office of Leah B. Moody, LLC
235 E. Main Street, Suite 115
Post Office Box 1015
Rock Hill, South Carolina 29731

Other Counsel of record:
Justin J. Hunter, SC Attorney General's Office
Rembert C. Dennis Building
Post Office Box 11549
Columbia, South Carolina 29211-1549
(803) 734-3970

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

JUL 11 2017

S.C. SUPREME COURT

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

The Honorable Keith Kelly, Presiding in Spartanburg County

Case No. 2016-CP-11-0348

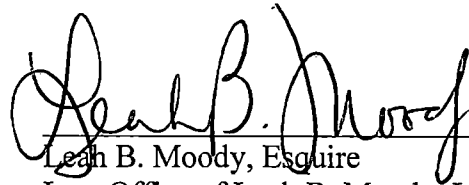
Jonathan Leon Simpson, Appellant,

v.

State of South Carolina, Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Justin J. Hunter by depositing a copy of it in the United States Mail, postage prepaid, on July 5, 2017 addressed to its attorney of record, Justin J. Hunter, Post Office Box 11549, Columbia, South Carolina, 29211-1549.



Leah B. Moody, Esquire
Law Office of Leah B. Moody, LLC
235 E. Main Street, Suite 115
Post Office Box 1015
Rock Hill, South Carolina 29731

July 5, 2017

cc Jonathan Leon Simpson
Justin J. Hunter, SC Attorney General's Office
Sharon A. Graham, SCCID
Brandy W. McBee, Clerk of Court, Cherokee County

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHEROKEE)
)
 Jonathan Leon Simpson,)
 S.C.D.C. No. 318626,)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 OF THE SEVENTH JUDICIAL CIRCUIT

2016-CP-11-0348

**CONSENT ORDER GRANTING
 AN APPEAL PURSUANT TO
AUSTIN V. STATE¹**

2017 JUN 22 A 10:57
 FILED
 CLERK OF COURT
 SEVENTH JUDICIAL CIRCUIT
 CHEROKEE COUNTY

This matter comes before the Court pursuant to an application for post-conviction relief (PCR) filed May 16, 2016.

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Cherokee County Clerk of Court. Applicant was indicted at the September 2006 term of the Cherokee County Grand Jury for armed robbery (2006-GS-11-0873). Scott D. Robinson, Esquire, represented him. On November 6-8, 2006, Applicant underwent trial, pursuant to which he was found guilty as indicted. The Honorable John C. Hayes III, sentenced him to confinement for twenty (20) years.

A timely Notice of Appeal was filed on Applicant's behalf and an appeal was perfected. The South Carolina Court of Appeals dismissed Applicant's appeal. State v. Simpson, Op. No. 2009-UP-337 (S.C. Ct. App. filed September 10, 2009). The Remittitur was sent on September 28, 2009.

¹ Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991).

First PCR Application: 2009-CP-11-0992

Applicant subsequently filed an application for PCR on October 21, 2009, in which he alleged the following grounds for relief:

1. Ineffective Assistance of Counsel, in that;
 - a. Counsel allowed person to testify without having a hearing under Massiah v. United States.
2. The trial court made improper ruling by allowing evidence of defendant's admission of guilt.

Respondent made its Return on or about March 15, 2010. An evidentiary hearing into the matter was convened on September 16, 2010, at the Spartanburg County Courthouse. Applicant was present and represented by Thomas B. Outlaw, Esquire, at the hearing. Suzanne H. White, Esquire, of the South Carolina Attorney General's Office, represented Respondent. By Order dated March 24, 2010, the Honorable Roger L. Couch denied and dismissed Applicant's application with prejudice.

Applicant attempted to file a notice of appeal. By Order dated February 22, 2013, the South Carolina Supreme Court dismissed the matter because Applicant's counsel failed to provide the Supreme Court with a copy of the order to be challenged on appeal and a proof of service showing that the notice of appeal has been served on opposing counsel as required by Rule 203(d)(1)(B) (i) and (ii) of the South Carolina Appellate Court Rules. Further Applicant's counsel failed to advise the Supreme Court of the date on which he received written notice of entry of the final order in this matter as requested by the Supreme Court in a letter dated January 25, 2013. The Remittitur was issued March 12, 2013.

Second PCR Application: 2014-CP-11-0053

Applicant filed a subsequent application for PCR on January 27, 2014, alleging the following:

1. Ineffective assistance of trial counsel, in that
 - a. Counsel allowed expert to testify at trial who was unqualified to testify as expert
 - b. Counsel allowed person to testify without having a hearing under Massiah v. United States
2. Trial court error, in that
 - a. The court erred in allowing evidence of defendant's admission of guilt;
3. Ineffective assistance of PCR counsel, in that;
 - a. Counsel failed to file a notice of appeal following the denial of the application.

Respondent made its Return on August 21, 2014, requesting an evidentiary hearing solely on the issue of whether Applicant was entitled to an appellate review of his first PCR action pursuant to Austin. An evidentiary on the matter was scheduled for September 3, 2015, at the Spartanburg County Courthouse. Prior to the hearing, Respondent consented to a belated review of the dismissal of Applicant's prior PCR application.

Judge R. Keith Kelly issued a Consent Order Granting an Appeal Pursuant to Austin v. State filed February 8, 2016. Applicant did not file a Notice of Appeal.

Current PCR Application

Thereafter, Applicant filed his third and current application for PCR, alleges he is being held unlawfully for the following reasons:

1. "Trial counsel allowed expert to testify at trial who was not qualified by state during the trial to do so."
2. Allowed person to testify without having a hearing under Massiah v. U.S."
3. Trial court made improper ruling by allowing evidence of Def.'s admission of guilt."
4. "Trial counsel failure and court ruling violated the applicant's right to a fair trial."

Respondent made its Return and Motion to Dismiss on or about May 16, 2017 requesting the application be summarily dismissed as untimely and successive. The Honorable J. Derham Cole issued a Conditional Order of Dismissal, filed May 24, 2017, allowing Applicant 20 days from

the date of service to provide sufficient reason why the Conditional Order of Dismissal should not become final. Applicant filed a Motion to Amend Post-Conviction Relief on or about June 6, 2017 adding an allegation that:

1. "The undersigned PCR counsel and Attorney General consented to an Order Granting an Appeal Pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991). PCR Counsel failed to perfect the PCR Notice of Appeal." (footnote omitted).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Applicant alleges that he was denied the right to appeal the dismissal of his previous post-conviction relief application. Pursuant to Austin v. State, a post-conviction relief applicant may petition the South Carolina Supreme Court for discretionary review of the dismissal of his prior application.

Applicant alleges that he was denied the right to appeal the dismissal of his previous post-conviction relief application. Counsel for Applicant asserts the previous Consent Order was inadvertently overlooked and therefore Counsel failed to file the Notice of Appeal from that order. Pursuant to Austin v. State, a post-conviction relief applicant may petition the South Carolina Supreme Court for discretionary review of the dismissal of his prior application. Applicant's other allegations of "ineffective assistance of counsel" and "trial court error" in this current application are successive to his prior PCR application or not proper for a PCR proceeding, and he understands that he waives the right to pursue any other PCR claims with this consent order. Respondent consents to allow Applicant a belated PCR appeal of the dismissal of his first PCR application. After review of the facts and circumstances surrounding the waiver of the Applicant's right to appeal the denial of his post-conviction relief application, this Court finds that Applicant did not knowingly and voluntarily waive his right to appeal his first PCR

application. Accordingly, this Court grants Applicant a belated PCR appeal pursuant to Austin v. State, in which he may raise on appeal any issues that were raised and ruled upon in his prior application. In order to secure this review, however, the Applicant must appeal from this Order.

CONCLUSION

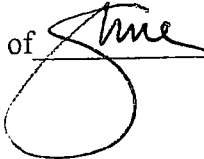
This Court advises Applicant that he must file a notice of intent to appeal within thirty (30) days from the receipt of written notice of entry of this Order to secure appropriate appellate review. His attention is also directed to King v. State, 308 S.C. 348, 417 S.E.2d 868 (1992) and Rule 243 of the South Carolina Appellate Court Rules for the appropriate procedures for filing a belated appeal.

[order and signatures on following page]

IT IS THEREFORE ORDERED:

1. That Applicant be granted an appeal of case 2009-CP-11-0992 pursuant to Austin v. State;
2. That all other PCR allegations are waived and dismissed with prejudice;
3. That Applicant remain in the custody of the South Carolina Department of Corrections.

AND IT IS SO ORDERED this 20 day of June, 2017.

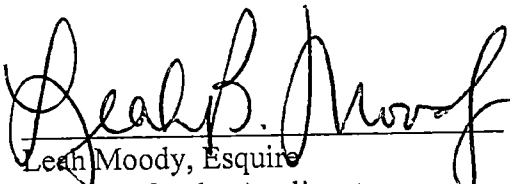


J. DERHAM COLE
Chief Administrative Judge
Seventh Judicial Circuit


2017 JUN 22 AM 8:57

_____, South Carolina.

We Consent:



Leah Moody, Esquire
Attorney for the Applicant



Valerie Garcia Giovanoli, Esquire
Assistant Attorney General
Attorney for the Respondent

Jonathan Leon Simpson, #318626
Applicant



After 5 Days Return To:
 Mrs. Brandy W. McBee
 Clerk of Court, Cherokee County
 Post Office Drawer 2289
 Gaffney, SC 29342

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 SC 296
 23 JUN '17
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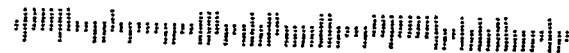


ZIP 29340
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RECEIVED JUN 26 2017

Attorney Leah B. Moody
 PO Box 1015
 Rock Hill, SC 29730

29731-701515



STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHEROKEE)
)
 Jonathan Simpson, #318626)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 SEVENTH JUDICIAL CIRCUIT

2009-CP-11-0992

ORDER OF DISMISSAL

BRADLEY W. COBBE
 2010 NOV 29 A 8:17
 COURT OF COMMON PLEAS
 SEVENTH JUDICIAL CIRCUIT
 CHEROKEE COUNTY, S.C.

This matter comes before the Court by way of an Application for Post-Conviction Relief filed October 21, 2009. The Respondent made its Return on or about March 15, 2010. An evidentiary hearing into the matter was convened on September 16, 2010, at the Spartanburg County Courthouse. The Applicant was present and represented by Thomas B. Outlaw, Esquire, at the hearing. Suzanne H. White, Esquire, of the South Carolina Attorney General's Office, represented the Respondent.

At the hearing, the Applicant testified on his own behalf. Scott D. Robinson, Esquire, testified on behalf of the State. This Court also had before it a copy of the trial transcript, the records of the Cherokee County Clerk of Court, Applicant's Appellate records and the Applicant's records from the South Carolina Department of Corrections.

PROCEDURAL HISTORY

The Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Cherokee County Clerk of Court. Applicant was indicted at the September 2006 term of the Cherokee County Grand Jury for armed robbery (2006-GS-11-0873). Scott D. Robinson, Esquire, represented him. On November 6-8, 2006, Applicant underwent trial,

pursuant to which he was found guilty as indicted. The Honorable John C. Hayes, III, sentenced him to confinement for twenty (20) years.

A timely Notice of Appeal was filed on Applicant's behalf and an appeal was perfected. The South Carolina Court of Appeals dismissed Applicant's appeal. State v. Simpson, Op. No. 2009-UP-337 (S.C. Ct. App. filed September 10, 2009). The Remittitur was sent on September 28, 2009.

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

1. Ineffective Assistance of Counsel, in that;
 - a. Counsel allowed person to testify without having a hearing under Massiah v. United States.
2. The trial court made improper ruling by allowing evidence of defendant's admission of guilt.

SUMMARY OF TESTIMONY

Applicant testified that he was arrested on May 10, 2006, for armed robbery and applied for an attorney through the Cherokee County Public Defender's office three weeks after his arrest. Applicant testified that four months following his application he received a letter informing him that Scott D. Robinson (Counsel) was his attorney. Applicant testified that the only visit from Counsel was the Saturday before trial. Applicant testified that he and Counsel discussed whether or not Applicant should plead guilty or proceed with a jury trial. Counsel also discussed the witnesses with Applicant at this meeting. Applicant testified that he gave Counsel a couple of statements at this meeting as well. Applicant also testified that he talked on the phone with Counsel and received a letter from Counsel prior to trial.

Applicant testified that at trial, his co-defendant's counsel did the majority of the talking and asked the majority of the questions to witnesses. Applicant testified that Wilson and Foster were

both witnesses against him, but that Counsel only questioned them outside of the presence of the jury. Applicant testified that he recalled plea negotiations, but did not believe that he ever received a plea offer prior to trial. Applicant also testified that he received a sentence of twenty years, while his co-defendant received a sentence of eighteen years. Applicant testified that he only received his packet of discovery materials on August 11, 2010.

Counsel to his over eighteen years of legal experience, including handling cases in both Federal and State courts and crimes from murder to tax fraud. Counsel testified that he was appointed in June 2006 to represent the Applicant on his charges. Counsel testified that although he does not have an independent recollection of this case, his normal practice is to send a letter to his client first and then follow-up with an in person visit. Counsel testified that he reviewed the discovery materials with Applicant in-person, which included incident reports and witness statements. Counsel testified that they also discussed the charges facing Applicant and the fact that his alleged co-defendant was testifying against him and he had no alibi. Counsel testified that during his representation of the Applicant, Applicant continued to deny his involvement in the crime. However, Counsel testified that Applicant also had previous charges at twenty-two years old.

Counsel testified that he did follow the co-defendant's attorney in questioning the witnesses and did not think that he should ask simply repetitive questions. Counsel testified that the trial strategy was to discredit the witnesses. Counsel also testified that the only plea negotiations occurred at the time of trial, when the Solicitor offered a YOA sentence and Applicant turned it down.

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 (2003).

Ineffective Assistance of Counsel

The Applicant alleges he received ineffective assistance of counsel. 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), SCRCP). 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, 104 S.Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (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, Id. 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.

As to Applicant's allegation that Counsel was ineffective for failing to spend enough time with Applicant prior to trial, this Court finds that the Applicant has failed to meet his burden of proof. This Court also finds Counsel's testimony as to this issue to be more credible than Applicant's testimony. Counsel communicated with the Applicant and reviewed discovery materials with Applicant prior to trial. The "brevity of time spent in consultation, without more, does not establish that counsel was ineffective." Easter v. Estelle, 609 F.2d 756, 759 (5th Cir. 1980). When claims of ineffective assistance of counsel are based on lack of preparation time, an Applicant challenging his conviction must show specific prejudice resulting from counsel's alleged lack of time to prepare. United States v. Cronin, 466 U.S. 648 (1984); U. S. v. LaRouche, 896 F.2d 815 (4th Cir. 1990). Here, the Applicant could not point to any specific matters counsel failed to discover had there been additional meetings. The Applicant has not shown that counsel was deficient in his representation based on lack of consultation time. Therefore, this claim is denied and dismissed.

Applicant alleged that Counsel was ineffective for failing to effectively cross-examine several witnesses. This Court finds that Applicant has failed to meet his burden of proof as to this allegation. Again, this Court finds Counsel's testimony regarding his strategy in this matter to be credible more credible than Applicant's. The nature and scope of cross-examination is inherently a matter of trial tactics. United States v. Nersesian, 824 F.2d 1294, 1321 (2nd Cir. 1987). "[A] defendant has a 'burden of supplying sufficiently precise information,' of the evidence that would have been obtained had his counsel undertaken the desired investigation, and of showing 'whether such information . . .

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would have produced a different result.'" United States v. Rodriguez, 53 F.3d 1439, 1449 (7th Cir. 1995). The Applicant did not proffer any questions counsel allegedly failed to ask, and did not present any testimony showing the witnesses' answers at trial would have been different. Accordingly, the Applicant has not shown that a different approach to cross-examination would have been beneficial to the defense. Therefore, this claim is denied and dismissed.

Other Allegations

As to the allegations raised in Applicant's application regarding the lack of a Massiah hearing, trial court error, and Counsel's ineffectiveness for allowing an expert to testify when the expert was not qualified to testify, this Court finds that the Applicant presented no evidence or testimony in support of these allegations. Therefore, Applicant failed to meet his burden of proof and the allegations are denied and dismissed.

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 advises 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 the Applicant's behalf. Your attention is directed to South



Carolina Appellate Court Rule 243¹ 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. The Applicant must be remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 24th day of November, 2010.

Spartanburg, South Carolina

Roger L. Couch
Roger L. Couch
Presiding Circuit Court Judge

¹ Formerly Rule 227, SCACR. Rules 224 through 230, SCACR, were renumbered as Rules 240 through 246, SCACR, by order of the South Carolina Supreme Court dated April 29, 2009.

The Supreme Court of South Carolina

Jonathan L. Simpson, # 318626, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-000112

Cherokee County
Trial Court Case No. 2009CP1100992

ORDER

Petitioner has failed to provide this Court with a copy of the order(s) to be challenged on appeal, and a proof of service showing that the notice of appeal has been served on opposing counsel as required by Rule 203(d)(1)(B) (i) and (ii) of the South Carolina Appellate Court Rules (SCACR). Further, petitioner's counsel has failed to advise this Court of the date on which he received written notice of entry of the final order in this matter as requested by letter dated January 25, 2013.

Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221, SCACR.

FOR THE COURT

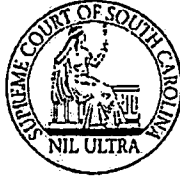
BY



CLERK

Columbia, South Carolina
February 22, 2013

cc: Suzanne Hollifield White, Esquire
Thomas Bryant Outlaw, Esquire
Mr. Jonathan Leon Simpson, #318626



7 PER App
SW

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

March 12, 2013

Brandy W. McBee
PO Drawer 2289
Gaffney SC 29342-2289

REMITTITUR

Re: Jonathan L. Simpson v State
Lower Court Case No. 2009CP1100992
Appellate Case No. 2013-000112

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc: Suzanne Hollifield White, Esquire
Thomas Bryant Outlaw, Esquire
Jonathan Leon Simpson, 318626

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

235 East Main Street, Suite 115
Post Office Box 1015 (29731)
Rock Hill, South Carolina 29730
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Facsimile (803) 329-1344

July 5, 2017

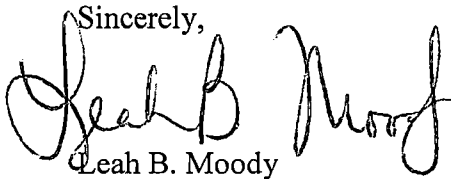
The Honorable Brandy W. McBee
Cherokee County Clerk of Court
Post Office Drawer 2289
Gaffney, South Carolina 29342-2289

RE: Jonathan Leon Simpson v. State of South Carolina
C.A. No.: 2016-CP-11-0348

Dear Ms. McBee:

Please find enclosed the Notice of Appeal and the Proof of Service in the above-referenced matter.

Sincerely,



Leah B. Moody

Enclosures

cc Jonathan Leon Simpson
Justin J. Hunter, Assistant Attorney General
Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court
Sharon Graham, SCCID

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

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July 5, 2017

Justin J. Hunter, Esquire
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211

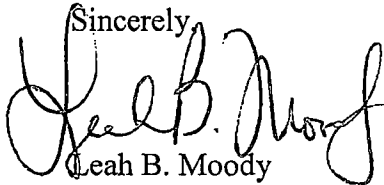
RE: Jonathan Leon Simpson, #318626 v. State of South Carolina
C.A. No.: 2016-CP-11-0348

Dear Mr. Hunter:

The Cherokee County Court of Common Pleas appointed my office to represent Jonathan Leon Simpson in his Post-Conviction Relief action. Please find enclosed a copy of the Notice of Appeal and Proof of Service in this matter.

If you have any questions or concerns, please feel free to contact my office. Thank you for your attention in this matter.

Sincerely,



Leah B. Moody

Enclosures

Cc Jonathan Leon Simpson
Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court
Brandy W. McBee, Clerk of Court, Cherokee County
Sharon Graham, SCCID

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

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Rock Hill, South Carolina 29730
Telephone (803) 327-4192
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July 5, 2017

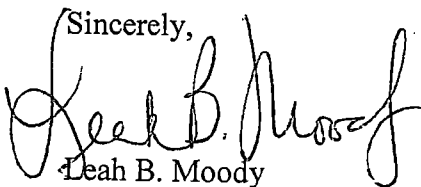
Ms. Sharon A. Graham
SC Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11433
Columbia, South Carolina 29211-1433

RE: Jonathan Leon Simpson, #318626, v. State of South Carolina
Case No.: 2016-CP-11-0348

Dear Ms. Graham:

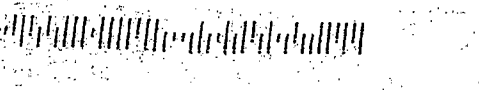
The Cherokee County Court of Common Pleas appointed my office to represent Jonathan Leon Simpson in his Post-Conviction Relief action. Please find enclosed the Notice of Appeal and Proof of Service the above-referenced matter.

Thank you for your attention in this matter.

Sincerely,

Leah B. Moody

Enclosures

cc Jonathan Leon Simpson
Justin J. Hunter, Esquire
Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court
Brandy W. McBee, Clerk of Court, Cherokee County



\$1.40
US POSTAGE
FIRST-CLASS
29730 JUL 05 2017
062S0007479892
stamps.com



Law Office of Leah B. Moody, LLC
Post Office Box 1015
Rock Hill, South Carolina 29730

TO:

The Honorable Daniel E. Shearouse
The Supreme Court of South Carolina
PO Box 11330
Columbia SC 29211-1330