

Dear clerk of court, RE: State Habeas Corpus (2013-CP-26-2686) 1-6-16

I filed a petition for writ of habeas corpus within the circuit court on June 4, 2015; in which was dismissed by the honorable William H. Seals Jr, Chief Judge for Administrative purposes fifteenth Judicial circuit. on 8-17-15 I appealed the order within the circuit court by filing a notice of appeal with the clerk of court of Horry county.

I'm hereby enclosing a copy of my notice of appeal and a copy of the order dismissing the petition for habeas corpus as well. I'd like to have this matter taken care of as soon as possible due to the issue at hand which is that the trial court lacked subject matter jurisdiction where the petitioner had demanded a preliminary hearing which had not been held, it was error for the magistrate to transmit the invalid warrants to the higher court and, although indictments had been given out and true bills found on them, the court had no jurisdiction until the preliminary hearing had been held. SEE State v. adcock, (S.C. 1940) 194 S.C. 234, 9 S.E.2d 730; State v. funderburk, 191 S.E.2d 520; State v. Brown, 40 S.E. 776 (S.C. 1902)

I'd like to thank you in advance for your time and assistance in this very important matter and may god bless you !!!

RECEIVED

JAN 11 2016

B.C. SUPREME COURT

Respectfully
Submitted,

Michael A. Dukes #31114
MICHAEL A. DUKES, #311176
ECI-FS-A-176
610 Hwy 9 West
Bennettsville, SC

29512

Date: 1-6-16



ALAN WILSON
ATTORNEY GENERAL

July 14, 2015

The Honorable William H. Seals, Jr.
Presiding Judge, Twelfth Judicial Circuit
103 North Main Street
Marion, SC 329571

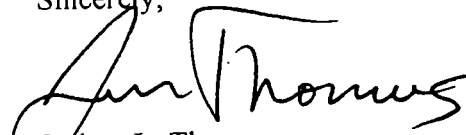
Re: Michel A. Dukes, #311176 v. State of South Carolina
2013-CP-26-2686

Dear Judge Seals:

Enclosed please find the proposed original Order Dismissing Petition For Habeas Corpus in regards to the above-referenced case. If this Order meets with your approval, please sign and return to me in the enclosed self-addressed, stamped envelope, so that I may serve and file it.

Thank you for your time and consideration in this matter. By copy of this letter, we are serving Michel A. Dukes, #311176 with this order.

Sincerely,



Joshua L. Thomas
Assistant Attorney General

JLT/nb
Enclosure(s)

cc: Michel A. Dukes, #311176-

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF HORRY)	FOR THE FIFTEENTH JUDICIAL CIRCUIT
Michel A. Dukes Sr., #311176,)	Case No. 2013-CP-26-2686
)	
Petitioner,)	
)	
v.)	ORDER DISMISSING
)	PETITION FOR
State of South Carolina,)	HABEAS CORPUS
)	
Respondent.)	
)	

This matter comes before the Court by way of a document filed June 4, 2015, and captioned "PETITION FOR WRIT OF HABEAS CORPUS." The Court finds as follows:

I. PROCEDURAL HISTORY

A. Underlying Conviction

Petitioner is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Horry County Clerk of Court. Petitioner was indicted at the November 2003 term of the Horry County Grand Jury for trafficking in crack cocaine, 10-28 Grams (2003-GS-26-3445). Paul Archer, Esquire represented Petitioner. On August 8-9, 2005, Petitioner proceeded to trial before the Honorable Edward B. Cottingham and a jury. The jury found Petitioner guilty as indicted. Judge Cottingham sentenced Petitioner as a third drug offender¹ to confinement for a period of eighteen (18) years.

Petitioner filed a timely notice of appeal. Aileen P. Clare, Esquire, of the South Carolina Office of Appellate Defense perfected the appeal with the filing of an Anders² brief on October 18, 2006. The South Carolina Court of Appeals dismissed Petitioner's appeal on October 8, 2007. Sate v.

¹ Applicant has prior convictions in 1996 for possession with intent to distribute marijuana and in 2000 for possession with intent to distribute cocaine.

² Anders v. California, 386 U.S. 738 (1967)

Dukes, Op. No. 2007-UP-423 (S.C. Ct. App. filed October 8, 2007). The remittitur was returned to the circuit court on December 21, 2007.

B. First Post-Conviction Relief Action (2008-CP-26-489)

Petitioner filed his first application for post-conviction relief on January 18, 2008. In his first application, Petitioner alleged the following grounds for relief:

1. "Directed Verdict"
 - a. "The judge should have directed a verdict due to the state not putting forth any evidence to show actual or constructive possession"
2. "Ineffective assistance of counsel"
 - a. "Not doing any investigation into whether or not Petitioners 4th amendment was violated by the officer searching his vehicle..."
 - b. "Proceeding with the picking of the jury in the absence of Petitioner..."
 - c. "Court lacked subject matter jurisdiction to sentence Petitioner as second or subsequent offender for trafficking [because] Petitioner has never been convicted of trafficking first."
3. "Did judge err in his ruling of Brady violation?"

The Honorable Michael G. Nettles convened a hearing on the application on November 17, 2008. At the hearing, Petitioner voluntarily withdrew all claims except the ineffective assistance of counsel claims. Judge Nettles issued an order, signed December 9, 2008, and filed December 12, 2008, denying and dismissing the application.

Petitioner filed a timely notice of appeal. M. Celia Robinson, Esquire, of the Office of Appellate Defense perfected the appeal with the filing of a petition for writ of certiorari on December 11, 2009. The South Carolina Supreme Court denied the petition on January 7, 2011. The remittitur was returned to the circuit court on January 25, 2011. Petitioner filed a subsequent notice of appeal, which the Supreme Court dismissed as successive on August 29, 2014. The remittitur was again returned to the circuit court on October 13, 2014.

C. Federal Habeas Corpus Actions

Petitioner filed a federal petition for habeas corpus on February 24, 2011 (Case number 0:11-cv-00819-JFA). The United States District Court for the District of South Carolina granted summary

judgment against Petitioner on January 4, 2012. The District Court denied Petitioner's certificate of appealability on February 7, 2012.

On March 8, 2012, Petitioner filed a motion to file a subsequent federal habeas corpus action with the United States Court of Appeals for the Fourth Circuit. The Fourth Circuit denied the motion on March 28, 2012. Nevertheless, Petitioner filed a second federal habeas corpus on December 19, 2012 (Case number 0:12-3445-JFA-PJG). The District Court dismissed the action on June 4, 2013.

Petitioner also filed a third federal habeas on February 28, 2013 (Case number 0:13-157-JFA-PJG). This action was dismissed on June 4, 2013 as well.

Petitioner filed another motion with the United States Court of Appeals for the Fourth Circuit seeking permission to file a successive habeas corpus petition on March 26, 2014. The Fourth Circuit denied this motion on April 10, 2014. In re: Michel Andre Dukes, No. 14-183 (4th Cir. Apr. 10, 2014).

D. Second Post-Conviction Relief Action (2012-CP-26-3026)

Petitioner filed a second application for post-conviction relief on April 13, 2012. In the second application, Petitioner again alleged the following grounds for relief:

1. Fourth Amendment violations.
2. Trial judge error in selecting a jury outside Petitioner's presence.
3. Ineffective assistance of counsel for allowing jury selection outside of Petitioner's presence.

The Court entered a Conditional Order of Dismissal on June 13, 2012. The Honorable Thomas A. Russo convened a hearing on Petitioner's response to the conditional order on August 27, 2012, in Horry County. David C. Hicks, Esquire, represented Petitioner at this hearing. Judge Russo issued an order on September 11, 2013, dismissing the second application as untimely and successive.

On March 8, 2013, the South Carolina Supreme Court dismissed Petitioner's appeal from Judge Russo's order pursuant to Rule 243(c), SCACR, for failing to demonstrate an arguable basis of error. The remitter was returned to the circuit court on March 26, 2013.

E. Third Post-Conviction Relief Action (2013-CP-26-2686)

Petitioner filed a third application for post-conviction relief on April 13, 2013. In this third application, Petitioner alleged the following grounds for relief:

1. "Ineffective assistance of trial counsel for not requesting a suppression hearing due to an illegal arrest"
2. "Ineffective assistance of trial counsel by not protecting defendants' 4th and 14th amendment constitutional rights under due process due to an illegal arrest"
3. "Ineffective assistance of counsel by not raising a brady violation"
4. "Lack of subject matter jurisdiction"

Petitioner filed an "Amendment and Supplementation" on June 11, 2013, alleging trial counsel failed to object to evidence and statements gathered during an illegal arrest. The Honorable Benjamin H. Culbertson issued a Conditional Order of Dismissal on September 13, 2013. Petitioner filed a timely response to the conditional order. Judge Culbertson issued a Final Order of Dismissal on January 7, 2014.

Petitioner filed a timely notice of appeal from Judge Culbertson's order. On July 29, 2014, the South Carolina Supreme Court dismissed the appeal pursuant to Rule 243(c), SCACR, for failing to show an arguable error. The remittitur was returned to the circuit court on August 14, 2014. Petitioner filed a second notice of appeal from Judge Culbertson's order. The Supreme Court dismissed that appeal on December 10, 2014, and returned the remittitur to the circuit court on the same day.

F. Fourth Post-Conviction Relief Action (2014-CP-26-1339)

Petitioner filed his fourth application for post-conviction relief on March 5, 2014. In this fourth application, Petitioner alleged the following grounds for relief:

1. Ineffective assistance of counsel
 - a. Failure to raise Fourth Amendment claim.
 - b. Failure to object to evidence.
 - c. Lack of personal jurisdiction.
2. Parole has been unlawfully revoked.
3. The State failed to disclose immunity agreement with witness.
4. The State failed to disclose a chemical analysis report.
5. The solicitor appeared as sole witness before the grand jury.
6. Violation of right to confront his accusers.

7. Malicious prosecution.
8. Sentence was illegally enhanced.
9. State failed to prove chain of custody.

Petitioner filed numerous other documents in relation to this application. The Honorable Larry B. Hyman Jr. issued a Conditional Order of Dismissal on January 6, 2015. Petitioner filed a timely response to the conditional order. The Court issued a Final Order of Dismissal on April 20, 2015.

Petitioner filed a timely notice of appeal from the Court's order. On June 5, 2015, the South Carolina Supreme Court dismissed the appeal pursuant to Rule 243(c), SCACR. In that same order, the Supreme Court prohibited Petitioner from filing any further collateral actions in circuit court without receiving permission from the Supreme Court.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. Jurisdiction

The Court finds this matter must be dismissed as the Court is without jurisdiction to entertain the petition. Petitioner filed this document in relation to Case No. 2013-CP-26-2686. However, that action concluded with the issuance of Judge Culbertson's final order on January 7, 2014. Any further motions in that action must have been filed by January 17, 2014. See In re Beard, 359 S.C. 351, 358, 597 S.E.2d 835, 838 (Ct. App. 2004) ("The established case law is that a trial judge loses jurisdiction over a case when the time to file post-trial motions has elapsed." (citing Pitman v. Republic Leasing Co., 351 S.C. 429, 570 S.E.2d 187 (Ct. App. 2002); Ness v. Eckerd Corp., 350 S.C. 399, 566 S.E.2d 193 (Ct. App. 2002))). Because this petition was filed over a year later on June 4, 2015, this Court is without jurisdiction to entertain any matters contained therein.

B. Habeas Corpus Relief Unavailable

"A *habeas corpus* petition must support the requested relief." Gibson v. State, 329 S.C. 37, 40, 495 S.E.2d 426, 427 (1998) (citations omitted). Although the allegations in the petition are to be treated as true, Petitioner must make out a *prima facie* case showing he is entitled to relief and he must

present sufficient factual allegations to support the petition before he is entitled to a hearing. Id. at 40, 495 S.E.2d at 427-28.

To warrant a hearing, the petition must include two allegations. First, the petition must allege the petitioner has exhausted all available post-conviction relief remedies. Simpson v. State, 329 S.C. 43, 46, 495 S.E.2d 429, 431 (1998); Gibson, 329 S.C. at 42, 495 S.E.2d at 428. “Exhaustion includes filing of an application, the rendering of an order adjudicating the issues, and petitioning for, or knowingly waiving, appellate review.” Gibson, 329 S.C. at 42, 495 S.E.2d at 428. Second, the petition must allege sufficient facts to show why other remedies are unavailable or inadequate. Id. Post-conviction relief is not rendered “unavailable or inadequate” merely because Petitioner's application might be dismissed as successive. In fact, any matter which is cognizable under the Uniform Post-Conviction Procedure Act may not be raised by a petition for a writ of habeas corpus before the circuit or other lower courts of this State. Simpson, 329 S.C. at 46, 495 S.E.2d at 431 (citing Gibson, 329 S.C. at 37, 495 S.E.2d at 426). The act is broadly inclusive and will rarely be inadequate or unavailable to test the legality of the detention. Gibson, 329 S.C. at 41, 495 S.E.2d at 428. Thus, “[a] person is procedurally barred from petitioning the circuit court for a writ of habeas corpus where the matter alleged is one which could have been raised in a PCR application” Keeler v. Mauney, 330 S.C. 568, 571, 500 S.E.2d 123, 124 (Ct. App. 1998). “Furthermore, if a person is procedurally barred, his only means of obtaining state habeas corpus relief is to file a petition in the original jurisdiction of the Supreme Court.” Id. (citing S.C. Const. Art. V, § 5).³

Petitioner's allegations fail to meet the standards required for the issuance of this extraordinary writ. His petition merely restates allegations that were or could have been raised in prior collateral

³ Before a petitioner may proceed in the original jurisdiction of the Supreme Court, the petition must set out a constitutional claim that meets the standard delineated in Butler v. State, 302 S.C. 466, 397 S.E.2d 87, cert. denied, 498 U.S. 972, 111 S.Ct. 442, 112 L.Ed.2d 425 (1990). In Butler, the South Carolina Supreme Court held that the writ of habeas corpus will only issue when there has been a constitutional violation “which, in the setting, constitutes a denial of fundamental fairness shocking to the universal sense of justice.” Butler, 302 S.C. 466, 468, 397 S.E.2d 87, 88 (1990) (citing State v. Miller, 84 A.2d 459 (N.J. Super. Ct. App. Div. 1951)).

actions. Furthermore, Applicant has not shown these issues are not capable of being raised in an application for post-conviction relief.⁴ Thus, these claims cannot be raised in a Petition for Habeas Corpus in the Circuit Courts of South Carolina. Therefore, the Court finds the petition should be dismissed.

III. CONCLUSION

IT IS THEREFORE ORDERED that, for the reasons set forth herein, the Petition for Habeas Corpus is hereby **denied and dismissed with prejudice**.

Petitioner is hereby instructed this order constitutes the Court's final ruling on this Petition. This Court further advises Petitioner that he must file and serve a Notice of Appeal within thirty (30) days of the service of this order to secure appellate review. See Rule 203, SCACR. Applicant's attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

AND IT IS SO ORDERED this _____ day of _____, 2015.

THE HONORABLE WILLIAM H. SEALS JR.
Chief Judge for Administrative Purposes
Fifteenth Judicial Circuit

_____, South Carolina

⁴The Court notes the Supreme Court issued an order restricting Petitioner's future filings one day after Petitioner filed his petition. However, that order does not eliminate Petitioner's ability to seek post-conviction relief; it merely requires him to obtain permission of the Supreme Court prior to filing a post-conviction relief application.



Horry County
SOUTH CAROLINA

Committed to Excellence

MELANIE HUGGINS- WARD

CLERK OF COURT

1301 2ND AVENUE

CONWAY, SC 29526

(843) 915-5080 • Fax: (843) 915-6081

August 19th, 2015

Re: 2013-CP-26-2686

Mr. Dukes:

We received your letter requesting us to file your notice of appeal and response in case 2013-CP-26-2686. I have done that for you and forwarded a copy to the attorney general's office.

If we can be of any further assistance, please do not hesitate to let us know.

Sincerely,

Melanie Huggins - Ward
Horry County Clerk Of Court

MHW/ac

LETTER TO CLERK OF LOWER COURT FILING
NOTICE OF APPEAL

August 17, 2015

The Honorable Melanie Huggins - ward
Clerk of Court for Horry County
Post office Box 677
Conway, South Carolina

2015 AUG 18 PM 1:24
MELANIE HUGGINS - WARD
CLERK OF COURT

RE: State of South Carolina, Respondent, v.

Michel A. Dukes^{SR.} #311176, case No. 2013-CP-26-2686

Dear MRS. MELANIE Huggins - ward;

Enclosed for filing is a notice of appeal in the above case.

Sincerely,

S/ Michel A. Dukes^{SR.} #311176
Michel A. Dukes^{SR.} #311176
ECI-F5-A-170
610 Hwy 9 west
Bennettsville, SC
29512

Date: 8-17-2015

CC:

office of the Attorney General
Attn: Joshua L. Thomas, Esquire
Post office Box 11549
Columbia, South Carolina
29211

LETTER TO THE APPELLATE COURT CLERK FILING
THE NOTICE OF APPEAL

August 17, 2015

The Honorable Tanya A. Gee
Clerk, South Carolina Court of Appeals
Post office Box 11629
Columbia, South Carolina 29211

2015 AUG 18 PM 1:24
CLERK JENNIFER WARD
CLERK OF COURT

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

RE: State of South Carolina, Respondent, v.
Michel A. Dukes, SR. #311176, Appellant, Case No. 2013-CP-26-
2686

Dear Ms. Gee [MR. Shearouse] :

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following :

- 1.) Proof of service of the notice of appeal on the Respondents.
- 2.) A copy of the order which is to be challenged on appeal.
- 3.) This appeal is being filed with the Supreme Court because 203(d) (1)(A) and/or 203(d)(b) (VI)

Date: 8-17-2015

S/ Michel A. Dukes, SR. #311176
Michel A. Dukes, SR. #311176
ECI-F5-A-170
610 Hwy 9 West
Bennettsville, SC
29512

Other Counsel of Record:
Office of the Attorney General
Attn: Joshua L. Thomas, Esquire
Post office Box 11549
Columbia, South Carolina
29211

NOTICE OF APPEAL IMA CIVIL CASE
THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

2015 AUG 18 PM 1:24
CLANKI, JENNIFER-WARD
CLERK OF COURT

APPEAL From Horry County

Court of Common Pleas

William H. Seals JR., Chief Judge for Administrative Purposes 15th circuit

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2013-CP-26-2686

State of South Carolina, Respondent,
V.
MichêL A. Dukes, ^{SR.} #311176, Appellant.

NOTICE OF APPEAL

MichêL A. Dukes, ^{SR.} #311176 appeals the order of the Honorable
William H. Seals JR. dated Appellant
received written notice of entry of this order on July 17, 2015.

Date: 8-17-15

S/ MichêL A. Dukes, ^{SR.} #311176
MichêL A. Dukes ^{SR.} #311176
ECI-FS-A-170
610 Hwy 9 west
Bennettsville, SC
29512

Other Counsel of Record
office of the Attorney General
Attn: Joshua L. Thomas, Esquire
Post office Box 11549
Columbia, South Carolina
29211

PROOF OF SERVICE OF A NOTICE OF APPEAL
THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
[IN THE SUPREME COURT]

2015 AUG 18 PM 1:24
MELANIE HUGGINS-WARD
CLERK OF COURT

APPEAL FROM Horry County
Court of Common Pleas

William H. Seals JR., Chief Judge for Administrative purposes 15th circuit
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2013-CP-26-2686

State of South Carolina, Respondent,
v.
Michêl A. Dukes, SR. #311176, Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of it in the United States Mail, Postage prepaid, on August 17, 2015, address to his attorney of record, Joshua L. Thomas, Esquire, Post office box 11549, Columbia, South Carolina 29211 by personally delivering a copy of it to the Horry County Clerk of Court, Melanie Huggins - Ward, at her office at Post office box 677, Conway, South Carolina 29528 - 0677, on August 17, 2015.

Date: 8-17-15

S/ Michêl A. Dukes, SR. #311176
Michêl A. Dukes, SR. #311176
ECI-FS-A-170
610 Hwy 9 west
Bennettsville, SC
29512

STATE OF SOUTH CAROLINA
COUNTY OF Horry

Michel A. Duke Sr., #311176,
Petitioner,
v.
State of South Carolina,
Respondent.

IN THE COURT OF COMMON
PLEAS FOR THE FIFTEENTH
JUDICIAL CIRCUIT

Case No. 2013-CP-26-2686

RESPONSE TO ORDER DIS-
MISSING PETITION FOR
HABEAS CORPUS

This matter comes before the Court by way of a document filed June 4,
2015, and captioned "PETITION FOR WRIT OF HABEAS CORPUS."
The petitioner finds as follows:

I. PROCEDURAL HISTORY

A. Underlying Conviction

Petitioner is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Horry County Clerk of Court. Petitioner was ~~falsely~~ indicted at the November 2003 term of the Horry County Grand Jury for trafficking in crack cocaine, 10-28 Grams (2003-6S-26-3445). Paul Archer, Esquire ~~ineffectively~~ represented Petitioner. On August 8-9, 2005, Petitioner proceeded to trial before the Honorable Edward B. Cottingham and a jury. The jury found Petitioner guilty as ~~falsely~~ indicted. Judge Cottingham sentenced Petitioner as a third drug offender to confinement for a period of eighteen (18) years.

Petitioner filed a timely notice of appeal. Aileen P. Clavey, Esquire, of the South Carolina Office of Appellate Defense perfected the appeal with the filing of an Anders brief on October 18, 2006. The South Carolina Court of Appeals dismissed Petitioner's appeal on October 8, 2007. State v. Duke, Op. No. 2007-UP-423 (S.C. Ct. App. filed October 8, 2007). The remittitur was returned to the Circuit Court on December 21, 2007.

B. First Post-Conviction Relief Action (2008-CP-26-0489)

Petitioner filed his first application for Post-Conviction relief on January 18, 2008. In his first application, Petitioner alleged the following grounds for relief:

1. "Directed Verdict"

a. "The judge should have directed a verdict due to the State not putting forth any evidence to show actual or constructive possession"

2. "Ineffective assistance of Counsel"

a. "Not doing any investigation into whether or not Petitioner's 4th amendment was violated by the officer searching his vehicle..."

b. "Proceeding with the picking of the jury in the absence of Petitioner..."

FILED
CLARE HIGGINS-WARD
CLERK OF COURT
AUG 18 PM 1:24

C. "Court lacked subject matter jurisdiction to sentence Petitioner as second or subsequent offender for trafficking [because] Petitioner has never been convicted of trafficking first."

3. Did Judge err in his ruling of Brady violation?

The Honorable Michael G. Nettles convened a hearing on the application on November 17, 2008. At the hearing, Petitioner ~~never~~ voluntarily, knowingly and intelligently withdrew all claims except for the ineffective assistance of counsel claims; in fact on June 25th 2008 Petitioner through counsel filed an amendment and supplementation to her Application. Donna P. Chantron employee of Williams Law Firm, LLC, served Christina J. Catde of the Attorney General's Office on July 18, 2008 again raising that trial court lacked subject matter jurisdiction and another ineffective assistance of counsel claim. (See attachment within response.) Petitioner was ~~denied~~ the opportunity to raise the issue before the courts, which violates §17-27-80 and precluded appellate review. Judge Nettles issued an order, signed December 9, 2008, and filed December 12, 2008, denying and dismissing the application.

Petitioner filed a timely notice of appeal. M. Celia Robinson, Esquire, of the Office of Appellate Defense ~~ineffectively~~ perfected the appeal with the filing of a petition for writ of certiorari on December 11, 2009 and leaving raised ineffective assistance of trial counsel issues abandoned again violating §17-27-80 and precluding Appellate review. The South Carolina Supreme Court denied the petition on January 17, 2011. The remittitur was returned to the circuit court on January 25, 2011. Petitioner filed a subsequent notice of appeal, which the Supreme Court dismissed as successive on August 29, 2014. The remittitur was again returned to the circuit court on October 13, 2014.

C. Federal Habeas Corpus Actions

Petitioner filed a federal petition for habeas corpus on February 24, 2011 (Case number 0:11-cv-00819-JFA). The United States District Court for the District of South Carolina granted summary judgment against petitioner on January 4, 2012. The District Court denied Petitioner's certificate of appealability on February 17, 2012.

On March 8, 2012, Petitioner filed a motion to file a subsequent federal habeas corpus action with the United States Court of Appeals for the Fourth Circuit. The Fourth Circuit denied the motion on March 28, 2012. Nevertheless, Petitioner filed a second federal habeas corpus on December 19, 2012 (Case number 0:12-3445-JFA-PJG). The District Court dismissed the action on June 4, 2013. Petitioner also filed a third federal habeas on February 28, 2013 (Case number 0:13-157-JFA-PJG). This action was dismissed on June 4, 2013 as well.

Petitioner filed another motion with the United States Court of Appeals for the fourth Circuit seeking permission to file a successive habeas corpus petition on March 26, 2014. The Fourth Circuit denied this motion on April 10, 2014. In re: Michel Andre Dukes, No. 14-183 (4th Cir. Apr. 10, 2014).

D. Second Post-Conviction Relief Action (2012-CP-26-3026)

Petitioner filed a second application for post-conviction relief on April 13, 2012. In the second application, Petitioner again alleged the following grounds for relief:

1. Fourth Amendment Violations.
2. Trial Judge error in selecting a jury outside petitioner's presence.
3. Ineffective assistance of counsel for allowing jury selection outside of Petitioner's presence.

The Court entered a Conditional Order of Dismissal on June 13, 2012. The Honorable Thomas A. RUSSO convened a hearing on Petitioner's response to the conditional order on August 27, 2012, in Horry County. David C. Hicks, Esquire, represented Petitioner at this hearing. Judge RUSSO issued an order on September 11, 2013, dismissing the second application as untimely and successive.

On March 8, 2013, the South Carolina Supreme Court dismissed Petitioner's appeal from Judge Russo's order pursuant to Rule 243(c) SCACR, for failing to demonstrate an arguable basis of error. The remitter was returned to the circuit court on March 26, 2013.

E. Third Post-Conviction Relief Action (2013-CP-26-2686)

Petitioner filed a third application for post-conviction relief on April 13, 2013. In this third application, Petitioner alleged the following grounds for relief:

1. "Ineffective assistance of trial counsel for not requesting a suppression hearing due to an illegal arrest"
2. "Ineffective assistance of trial counsel by not protecting defendants' 4th and 14th amendment constitutional rights under due process due to an illegal arrest"
3. "Ineffective assistance of counsel by not raising a brady violation"
4. "Lack of subject matter jurisdiction"

Petitioner filed an "Amendment and Supplementation" on June 11, 2013, alleging trial counsel failed to object to evidence and statements gathered during an illegal arrest. The Honorable Benjamin H. Culbertson issued a conditional order of Dismissal on September 13, 2013. Petitioner filed a timely response to the conditional order. Judge Culbertson issued a Final Order of Dismissal on January 7, 2014.

Petitioner filed a timely notice of appeal from Judge Culbertson's order. On July 29, 2014, the South Carolina Supreme Court dismissed the appeal pursuant to Rule 243(c) SCACR, for failing to show an arguable error. The remittitur was returned to the circuit court on August 14, 2014. Petitioner filed a second notice of appeal from Judge Culbertson's order. The Supreme Court dismissed that appeal on December 10, 2014, and returned

the remittitur to the Circuit Court on the same day.

F. Fourth Post-Conviction Relief Action (2014-CP-26-1339)

Petitioner filed his fourth application for post-conviction relief on March 5, 2014. In this fourth application, Petitioner alleged the following grounds for relief:

1. Ineffective assistance of Counsel
 - a. Failure to raise Fourth Amendment claim.
 - b. Failure to object to evidence.
 - c. Lack of personal jurisdiction.
2. Parole has been unlawfully revoked.
3. The State failed to disclose immunity agreement with witness.
4. The State failed to disclose a chemical analysis report.
5. The Solicitor appeared as sole witness before the grand jury.
6. Violation of right to confront his accusers.
7. Malicious prosecution.
8. Sentence was illegally enhanced.
9. State failed to prove chain of custody.

Petitioner filed numerous other documents in relation to this application. The Honorable Larry B. Hyman Jr. issued a Conditional Order of Dismissal on January 6, 2015. Petitioner filed a timely response to the Conditional order. The Court issued a Final Order of Dismissal on April 20, 2015.

Petitioner filed a timely notice of appeal from the Court's order. On June 5, 2015, the South Carolina Supreme Court dismissed the appeal pursuant to Rule 243^(c) SCACR. In that same order, the Supreme Court prohibited Petitioner from filing any further collateral actions in Circuit Court without receiving permission from the Supreme Court.

II. RESPONSE to findings of fact and conclusions of Law

A. Jurisdiction

under Art. I, § 3 privileges and immunities; due process; and ~~equal protection of laws~~ they are known as fundamental rights within the Constitution. Appellants issue of lack of subject matter jurisdiction falls under (ART. I, § 3) (Due process of law), in which a judgment by a court without jurisdiction of both the parties and the subject matter is a nullity and must be so treated by the courts whenever and for whatever purpose it is presented and relied on. See Brown v. Malloy, (S.C. App. 2001) 345 S.C. 113, 546 S.E.2d 195. Judgment key - 16

Due process is flexible and calls for such procedural protections as the particular situation demands. Constitutional law key - 251.1; A

party whose personal rights are to be affected by a personal judgment must have a day in court, or opportunity to be heard, and that without due notice and opportunity to be heard a court has no jurisdiction to adjudicate such personal rights. Constitutional law key - 305 (2). See also that "substantive due process" protects prevents the government from engaging in conduct that shocks the conscience, or interferes with rights implicit in the concept of ordered liberty. U.S.C.A. Const. Amends. 5, 14; Constitutional law key - 251.2....

B. Habeas Corpus Relief Unavailable

Petitioner has raised the issue of lack of subject matter jurisdiction within the initial PCR application (2008-CP-26-0489). Then petitioner filed an amendment and supplementation through PCR Counsel again raising the issue of lack of subject matter jurisdiction in which the PCR court failed to address the issue violating State Statute 17-27-80 and precluding appellate review. See code, § 17-27-80; U.S.C.A. Const. Amend. 6.

In the initial PCR application (2008-CP-26-0489) petitioner was denied post conviction relief where the post conviction court dismissed petitioner's ineffect assistance of counsel allegations without making findings of fact on specific ~~allegations raised~~ violating statute and precluding appellate review.

When faced with an irregularity in an indictment and the evidence of record is insufficient to show the action taken by the grand jury, it is proper for the appellate court to remand for an evidentiary hearing to determine whether the trial court had subject matter jurisdiction. See Criminal law key - 1181.5 (3.1); State v. Grim, 341 S.C. 63, 533 S.E.2d 329 (2000); Anderson v. State, 331 S.C. 629, 527 S.E.2d 398 (Ct. App. 2000).

Petitioner also attempted to raise lack of subject matter jurisdiction with PCR application (2014-CP-26-1339) in which was dismissed as unavailing and successive. It is petitioner's contention that the judgment of conviction is

or sentence imposed is void, and not merely voidable, in which relief may be had by habeas corpus. Also the jurisdiction of a court to render a particular judgment or impose a particular sentence may be a proper subject of inquiry on habeas corpus. There is a question of significant public interest, and invasion of petitioners' due process rights, procedural due process rights, and substantive due process rights, in which has caused a wrongful conviction and failure to review the claim[s] will "result in a fundamental miscarriage of justice?" See (Actual Innocence exception)

Petitioner had requested a preliminary hearing by magistrate "Clifford L. Welsh" at the bond hearing, in which I was given a date to appear before the courts. Petitioner appeared at the appropriate time and place and was told that he wasn't needed at the hearing. See Art. I, § 11 Preliminary examination by Magistrate, which states this rule has been applied to an act requiring magistrates to hold a preliminary investigation on the issue of a warrant charging a crime at the demand of the defendant. See State v. Brown, (S.C. 1902) 62 S.C. 374, 40 S.E. 776 Grand Jury Key - 86

Under criminal law key - 1033(u) it states that lack of jurisdiction of the cause or subject matter can be raised at any time, including for the first time on appeal to the Supreme Court, and contention that conviction before the court of General Sessions was void and that court did not have jurisdiction because magistrate issuing warrant had not conducted preliminary hearing, on defendant's request, until after case had been transmitted to the court could properly be raised for first time on appeal from conviction; failure to appeal from denial of prior motions to dismiss or quash indictment or subsequent intermediate ruling again denying such motion on grounds of res judicata was no bar. Code 1962, § 43-232, § 22-5-320, State v. Funderburk, (S.C. 1972) 259 S.C. 256, 191 S.E.2d 520, Courts Key - 40, Grand Jury Key - 25. Also see criminal law key - 102; Indictment key - 10, (k2)

which states where demand for preliminary hearing, following arrest on two warrants issued by magistrate charging offenses of grand larceny and receiving stolen goods, was made ten days before convening of next term of court of general sessions but such hearing was not held until after indictment was submitted to grand jury and true bill returned, the court was without jurisdiction and the jurisdiction of the grand jury being coextensive with the criminal jurisdiction of the court, the indictment was a nullity and conviction was required to be vacated. See Code 1962, § 43-232; Const. art. I, § 11; State v. Funderburk, 191 S.E.2d 520.

Also see (§ 22-5-320) (EFFECT of demand for hearing on jurisdiction) where defendant had demanded a preliminary hearing which had not been held, it was error for the magistrate to transmit the warrants to the higher court and, although indictments had been given out and true bills found on them, the court had no jurisdiction until the preliminary hearing had been held. See State v. Funderburk, (S.C. 1940) 194 S.C. 234, 9 S.E.2d 730.

But to further the matter at hand the petitioner was never arrested for a crime and under (§ 22-3-710) (necessity of information and warrant) states that a warrant issued upon a statement of facts not sworn to is unconstitutional. State v. Wimbush, (S.C. 1878) 9 S.C. 309, Criminal Law Key - 100(u)....

Also see (§22-3-710) (necessity of information and warrant) where accused at trial before recorder of municipal court under warrant charging him with breach of peace, but not with vagrancy, was orally charged with vagrancy and tried without warrant, trial on vagrancy charge held illegal and sentence void. State v. Fraser, (S.C. 1934) 173 S.C. 284, 175 S.E. 551, Criminal law key - 252.

Under §22-3-910 which follows: This statutory requirement that all proceedings before a magistrate in criminal cases shall be commenced upon the issuance of a warrant of arrest, cannot be waived. (necessity of information and warrant); Statute code 1932, §§ 930, 952; Const. art. I, § 18; Criminal law key - 216; Indictment and Information key - 35; Town of Honea Path v. Wright, (S.C. 1940) 194 S.C. 461, 9 S.E. 2d 924.

It is impossible for a person or defendant that contends his trial before the general sessions court was illegal and a nullity, upon the ground that no formal charge was preferred against him, and no warrant was issued setting forth the nature and grounds of the accusation preferred against him, supported by oath or affidavit, to not be entitled to a hearing.

It is petitioner's contention that the combined effect of S.C. code Ann. §22-5-320 (Supp. 1981), and the recently enacted statute, S.C. code Ann. §17-23-160 (Supp. 1981), was to deprive the court of general sessions of jurisdiction to try him. State v. Funderbert, 259 S.C. 256, 191 S.E. 2d 520 (1972).

To conclude this portion of the order petitioner would now point the court's attention in the direction of Rule 243 for a sufficient explanation as to why the petitioner is entitled to a hearing, and why the post conviction relief remedies are unavailable or inadequate. Also please notice that it is petitioner's contention that he has been denied procedural due process in which petitioner had requested a preliminary examination by the arresting magistrate judge and was denied that right. To be given procedural due process one is entitled to protection in guaranteeing procedural fairness when the government would deprive one of his property or liberty. This requires that notice and the right to a fair hearing be accorded prior to a deprivation. 237 U.S. 309. Due process of law does not have a fixed meaning. As the Constitution itself it adjusts with changing jurisprudential values. Said Justice Frankfurter: "The requirement of 'due process' is not a fair-weather or timid assurance. It must be respected in periods of calm and in times of trouble; it protects aliens as well as citizens."

STATE OF SOUTH CAROLINA
COUNTY OF Horry

State of South Carolina,
Respondent,

v.

Michél A. Dukes, ^{SE}#311176
Appellant.

IN THE COURT OF COMMON
PLEAS FOR THE FIFTEENTH
JUDICIAL CIRCUIT

Case No. 2013-CP-26-2686

Sufficient Explanation Required
Under Rule 243 Objecting
To Order Dismissing PETIT.
ION FOR HABEAS CORPUS

The circuit court ruled that petitioner's motion for a writ of habeas corpus was untimely filed and that the motion, even if treated as a PCR action, could not be granted.

This was error. The issue of subject matter jurisdiction may be raised at any time. SEE Slack v. State, 429 S.E.2d 801 (S.C. 1993) citing; State v. Funderburk, 259 S.C. 256, 191 S.E.2d 520 (1972), Criminal Law Key - 105 - Issue of subject matter jurisdiction may be raised at any time.

2015 AUG 18 PM 1:24
JANET HIGGINS-WARD
CLERK OF COURT

Respectfully Submitted,
Michél A. Dukes, ^{SE}#311176
ECI-F5-A-170
610 Hwy 9 West
Bennettsville, SC
29512

Date: 8-17-15

WB

STATE OF SOUTH CAROLINA
COUNTY OF Horry
STATE OF SOUTH CAROLINA

Ticket or Warrant No.: H-299368 H-299369
IN THE (X) COURT OF GENERAL SESSIONS
() MAGISTRATE'S COURT
() MUNICIPAL COURT OF _____

Michel Andre Dukes
Name of Defendant

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE
(Bail Proceeding Form 2)

Offense Charged: Trafficking Crack; Poss With Intent Heroin
At a bail proceeding conducted by undersigned judge, for the defendant named above, it was determined by the court (check one or both):
 The release of the defendant on recognizance will not reasonably assure his appearance as required.
 The release of the defendant on recognizance will result in an unreasonable danger to the community.
This determination was based upon the following findings of fact:

Nature of Charge; Defendant from out of state

[Considerations: Nature and circumstances of the offense charged, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]
THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows (check one):

CASH IN LIEU OF BOND

The defendant, acknowledging himself to be indebted to the State of South Carolina, deposits \$ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

The defendant acknowledges himself to be indebted to the State of South Carolina in the sum of \$ _____, his release to be obtained by payment to the court of _____ (%) of this bond in cash, this amount being \$ _____. The defendant will be obligated to the State in the full amount of \$ _____ such sum to be levied on his real and personal property for the use of the State, should he fail to perform the conditions of this Order.

APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved in the court in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 30,000.

That the defendant shall appear at (check one):
the term of the court of general sessions beginning on [Date: Nov 21, 2003] at [Time: 8:30] o'clock, A.M., at [Place: Horry Judicial Center Conway SC]
and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.
 the session of magistrate/municipal (circle one) court beginning on [Date: _____] at [Time: _____] o'clock, _____ M., at [Place: _____]. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.
Initials of Defendant MD

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described on the reverse side, which are marked.
Clifford L. Wildt 9/12/03
Signature of Judge Date

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, including any conditions included on the reverse side of this Order, a warrant for my arrest will be issued.
I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.
It has been explained to me that if I fail to appear before the court as required, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both; if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.
I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me in the event I violate any condition of the Order or fail to appear, as required.

510 Governors RD
Address
Wilmington, N.C. 28411
City/State/Zip
397-0897
Social Security Number/Telephone No.

Michel A Dukes
Signature of Defendant
9-15-03
Date

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED.
Original copy for the Trial Court - Copy for the Defendant
FORM CONTINUES ON BACK
SCCA/511 (3/90)

POWER AMOUNT
\$53,000.00

Accredited
Property & Casualty Insurance since 1971

400 SOUTH PARK AVENUE, SUITE 320, WINTER PARK, FL 32789-4320

POWER
NO.

AD 31149

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: that Accredited Surety and Casualty Co., Inc., a Corporation duly organized and existing under the laws of the State of Florida, has made pursuant to a Code of its By-Laws which was adopted by the Directors of the said Company on the 31st day of August, 1971 and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to APPEARANCE BONDS ONLY and cannot be construed to guarantee payment of fines, costs, alimony, wage claims, or any other financial obligation, nor delivery or immigration bonds on behalf of below named defendant.

This power of attorney is void if altered or erased. The obligation of the company shall not exceed the sum of
FIFTY THREE THOUSAND, (\$53,000.00) DOLLARS

and provided this Power-of-Attorney is filed with the bond and retained as a part of the Court records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, ACCREDITED SURETY AND CASUALTY CO., INC., has caused these presents to be signed by its duly authorized officer, proper for the purpose

and its corporate seal to be hereunto affixed this 15 day of Sept, Year 2003

Bond Amount 30,000.00 Appearance Date Nov 21 03

ACCREDITED SURETY AND CASUALTY CO., INC.

Defendant Michael Andrew DeLlos

Court MS City Conway State SC

Offense Waltzing Clock & Poss of OT Heroin

Executing Agent JML



Deborah Jallad

DEBORAH JALLAD
PRESIDENT

WITNESSES

BROWN/NMBPD

ARREST WARRANT NO. H-299368

CDR: 0452 44-53-0375 (C) (1) (c)

DOA: 9-12-003

ACTION OF GRAND JURY
TRUE BILL

ESL NOV 20 2003
Foreman of Grand Jury

VERDICT

Guilty

8-9-05

Claude E. Belcher
Foreman of Petit Jury Date:

DOCKET NO. 2003-GS-26- 3445

THE STATE OF SOUTH CAROLINA

COUNTY OF HORRY

GD 71872

COURT OF GENERAL SESSIONS

NOVEMBER TERM 2003

ad

[Signature] THE STATE
VS.

MICHAEL ANDRE DUKES B/M

510 GOVENORS ROAD

WILMINGTON, NC 28411

SSN: DOB 12-08-78

Attorney

INDICTMENT FOR:
TRAFFICKING CRACK COCAINE
MORE THAN 10 GRAMS, LESS THAN 28 GRAMS

J. GREGORY HEMBREE, SOLICITOR

ORIGINAL

ARREST WARRANT

NCP

H-299368

AFFIDAVIT

STATE OF SOUTH CAROLINA)
County/ Municipality of)
NO MYRTLE BCH MUNICIPAL COURT)

Personally appeared before me the affiant JAMES BROWN JWB who
being duly sworn deposes and says that defendant MICHAEL ANDRE DUKES
did within this county and state on September 11, 2003 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of NO MYRTLE BCH MUNICIPAL COURT)

STATE OF SOUTH CAROLINA
 County/ Municipality of
NO MYRTLE BCH MUNICIPAL COURT

THE STATE
against

DESCRIPTION OF OFFENSE: TRAFFICKING IN CRACK COCAINE

CLW
MICHAEL ANDRE DUKES
Address: 510 GOVERNORS ROAD
WILMINGTON, NC 28411
Phone: (910) 397-0897 SSN: _____
Race: B Height: 5'04" Weight: 140
Sex: M NC DL #: 26512244
DOB: 12/08/1978 Agency ORI#: SC0260700
Prosecuting Agency: NO MYRTLE BCH DEPT PUBLIC SETY
Prosecuting Officer: RAY ATWOOD
Offense: TRAFFICKING IN CRACK COCAINE
Offense Code: _____
Code/Ordinance Sec. 44-53-375

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts: CLW
ON OR ABOUT SEPTEMBER 11, 2003, THE DEFENDANT MICHEL ANDRE DUKES, WAS STOPPED AND DURING
A LAWFUL SEARCH WAS FOUND TO BE IN POSSESSION OF 20.2 GRAMS OF CRACK COCAINE WHICH FIELD TESTED POSITIVE.

FILED
HARRIS COUNTY
SEP 29 AM 11:55
CLERK OF COURT

This warrant is **CERTIFIED FOR SERVICE** in the
 County/ Municipality of _____
The accused
is to be arrested and brought before me to be
dealt with according to law.

Sworn to and subscribed before me)
on 09/12/2003)
Signature of Issuing Judge _____ (L.S.))

James E Brown
Signature of Affiant _____
Affiant's Address 1015 SECOND AVE SOUTH
NORTH MYRTLE BEACH, SC 29582
Affiant's Telephone 843-280-5511

Signature of Judge _____ (L.S.)

STATE OF SOUTH CAROLINA)
County/ Municipality of)
NO MYRTLE BCH MUNICIPAL COURT)

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe
on September 11, 2003 defendant MICHAEL ANDRE DUKES
did violate the criminal laws of the State of South Carolina (or ordinance of
 County/ Municipality of NO MYRTLE BCH MUNICIPAL COURT) as set forth below:
DESCRIPTION OF OFFENSE: TRAFFICKING IN CRACK COCAINE

TRANSFERRED
SEP 30 2003

RETURN
A copy of this arrest warrant was delivered to
defendant Michael Dukes
on 9-12-03
[Signature]
Signature of Constable/Law Enforcement Officer

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before
me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
defendant at the time of its execution, or as soon thereafter as is practicable.
Judge's Address 1015 SECOND AVENUE SOUTH
NORTH MYRTLE BEACH, SC 29582
Judge's Telephone 803-280-5520
Issuing Court: Magistrate Municipal Circuit

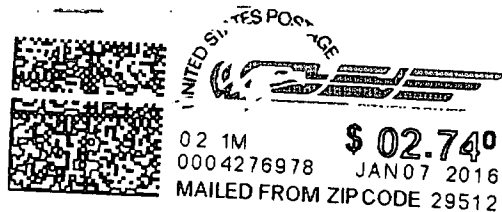
RETURN WARRANT TO:
CLIFFORD L. WELSH, MUNICIPAL JUDGE
1015 SECOND AVENUE SOUTH
NORTH MYRTLE BEACH, SC 29582
803-280-5520

Signature of Issuing Judge _____ (L.S.))
Judge Code: _____)

ORIGINAL

H-299368 Xref #: 200328867

MICHEL A. DUKES, SK. #311176
ECI-F5-A-170
610 Hwy 9 WEST
BENNETTSVILLE, SC
29512



The Supreme Court of
South Carolina

Daniel E. Shearouse, Clerk
of Court

Post Office Box 11330
Columbia, S.C.

29211

LEGAL MAIL USE ONLY