

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM AIKEN COUNTY
Court of Common Pleas
Doyet A. Early, III, Circuit Court Judge

Case No: 2006-CP-02-0858

Joseph Morrison, III, # 208001,.....
Appellant

v.

State of South Carolina,..... Respondent

NOTICE OF APPEAL

Joseph Morrison, III gives notice of his intent to appeal the Order of the Honorable Doyet A. Early, III, filed September 23rd, 2011, denying his petition for post-conviction relief. This Order was served upon undersigned counsel on September 27th, 2011.

Other Counsel of Record:
Office of the Attorney General
Attn: Mary Shannon Williams, Ass't Attorney General
PO BOX 11549
COLUMBIA, SC 29211
(803) 734-3737
Attorney for Respondent

October 19, 2011

Michael Chesser

Michael Chesser
PO BOX 1018
AIKEN, SC 29802
803-641-0477
Attorney for the Petitioner/Appellant

RECEIVED

OCT 21 2011

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM AIKEN COUNTY
Court of Common Pleas
Doyet A. Early, III, Circuit Court Judge

Case No: 2006-CP-02-0858

Joseph Morrison, III, # 208001,.....
Appellant

v.

State of South Carolina,..... Respondent

CERTIFICATE OF SERVICE

I, Michael Chesser, do hereby certify that I have this day served the original of Appellant's Notice of Intent to Appeal upon the South Carolina Supreme Court, and copies of Appellant's Notice of Intent to Appeal to the Clerk of Court of Aiken County, by placing same in the United States Mail properly addressed and with correct postage affixed thereto:

South Carolina Supreme Court
Attn: Notice of Appeal (PCR)
PO Box 11330
Columbia, SC 29211

South Carolina Commission
Of Indigent Defense
Attn: Division of Appellate Defense
Notice of Appeal (PCR)
PO Box 11589
COLUMBIA, SC 29211-1589

The Honorable Liz Godard
Clerk of Court for Aiken County
Attn: Notice of Intent to Appeal
PO BOX 583
AIKEN, SC 29802-0583

Office of the Attorney General
Attn: Mary Shannon Williams, Ass't Att'y Gen'l
PO Box 11549
COLUMBIA, SC 29211-1549

October 19, 2011



Michael Chesser
PO BOX 1018
AIKEN, SC 29802
803-641-0477
Attorney for the Defendant

Michael Chesser
Attorney at Law
PO Box 1018
104 Park Avenue, SW
Aiken, South Carolina 29802-1018
chesserlaw@gmail.com

Telephone: (803) 646-1166
Telefax: (888) 908-5503

October 19, 2011

The Supreme Court of South Carolina
Attn: Notice of Appeal from Common Pleas
Supreme Court Building
1231 Gervais Street
PO BOX 11330
COLUMBIA, SC 29211

Re: Joseph Morrison v. State
2006-CP-02-0858 (PCR)

Dear Sir or Madam:

Enclosed please find the Notice of Intent to Appeal on behalf of the above-referenced Petitioner/Appellant, in respect of the denial of the Petitioner's application for post-conviction relief. Please find enclosed a copy of the Order of Dismissal. It is anticipated that this appeal will be handled by the Office of Appellate Defense, in view of the indigent status of the Appellant/Defendant.

The court reporter was:

Lisa Davenport, Court Reporter
PO BOX 5485
AIKEN, SC 29804

Please call me if you have any questions.

Sincerely,

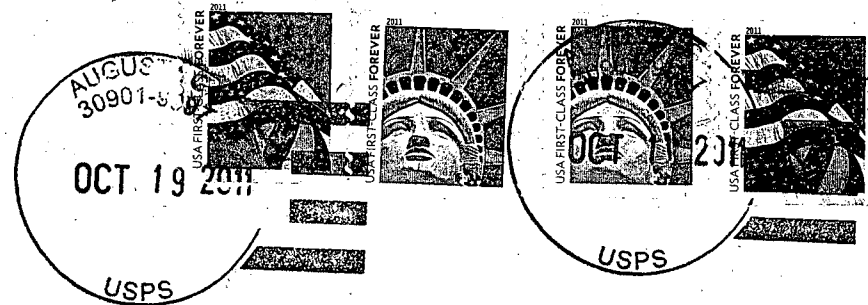
Michael Chesser
Michael Chesser

RECEIVED

OCT 21 2011

S.C. SUPREME COURT

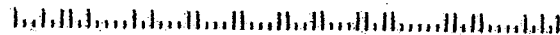
MICHAEL W. CHESSE
Attorney at Law
Post Office Box 1018
100 Park Avenue, SW
Aiken, South Carolina 29802-1018



South Carolina Supreme Court
Attn: Notice of Appeal (PCR)
PO Box 11330
Columbia, SC 29211

Joseph Morrison

29211#11330 6099



STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FOR THE SECOND JUDICIAL CIRCUIT
 COUNTY OF AIKEN) Case No.: 2006-CP-02-0858

Joseph Morrison, III, #208001,)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

ORDER OF DISMISSAL
 FILED 9.23.0011
[Signature]
 S.C.P. & C.S.
[Signature]
 Deputy Clerk

This matter comes before the Court by way of an Application for Post-Conviction Relief filed June 12, 2006. Evidentiary hearings were conducted on December 3, 2009; February 23, 2010; March 16, 2010; and June 21, 2011. Michael Chesser, Esquire, represented the Applicant. Mary S. Williams, Esquire, of the South Carolina Attorney General's Office, represented the Respondent.

At the hearings, several witnesses were presented: Sheriff Michael Hunt, Regina Poteat Crozier ("Counsel"), Investigator Robert Anderson, Officer Keith Glover, former assistant solicitor DeGrant Gibbons, Deputy Dewayne Courtney, and the Applicant's former girlfriend Diedre Balde. The Applicant testified on his own behalf. This Court also had before it a copy of the trial transcript transcript, the records of the Aiken County Clerk of Court, the appellate records, and the Applicant's records from the South Carolina Department of Corrections.

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Aiken County Clerk of Court. Applicant was indicted at the May 12, 2003, term of the Aiken County Grand Jury for Murder (2003-GS-02-871). Regina Poteat, Esquire,

[Handwritten initials]

represented him. Following a jury trial conducted on October 21-23, 2003, Applicant was found guilty as indicted. The Honorable James R. Barber, III, sentenced him to life imprisonment.

A timely Notice of Appeal was filed on Applicant's behalf and an appeal was perfected. After a review pursuant to Anders v. California, 386 US 738 (1967), The South Carolina Court of Appeals dismissed the appeal. State v. Morrison, 2005-UP-429, filed July 13, 2005. The Remittitur was sent on July 29, 2005.

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

1. Ineffective assistance of counsel; and
2. Denial of due process.

At PCR hearings, Applicant raised additional issues as follows:

1. Ineffective assistance of counsel.
 - a. Cross-examination of key witnesses such as Tracy Fuller.
 - b. Failure to investigate.
 - c. Presentation of inconsistencies and conflicts in physical evidence.
2. Newly discovered evidence of testimony of Deidre Balde.

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 fact and conclusions of law as required pursuant to S.C. Code Ann. §17-27-80.

Summary of Facts Adduced at Trial

Victim Christopher Pollin ("Pollin") was discovered in the Sons of Israel section of the Bethany Cemetery on October 6, 1994. When found by a cemetery worker at 1:00 pm, Pollin was

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still alive in spite of two gunshot wounds, one to the neck and one to the head. Rescue personnel responded, but Pollin died of his injuries. The wounds were inflicted by a .25 caliber weapon at close range. Pollin's "hoodie" sweatshirt was damaged by the bullets. Pollin's footprints were identifiable. The area was fairly well travelled. No other footprints were identified. Investigators interviewed numerous individuals, but the case was cold for many years.

Tracy Fuller ("Fuller") came forward years later with information that led to Applicant's arrest.¹ Fuller claimed that he was with Pollin, Applicant, and Applicant's cousin, Joseph "Tree" Hankerson ("Hankerson") on the night of the murder.² Fuller stated that he and Pollin sold drugs for Applicant at the time. On the night in question, the four were driving around and making drug deals. Fuller testified that the four parked in a parking lot near the cemetery. Applicant, Hankerson, and Pollin exited the vehicle and proceeded to the cemetery on foot, leaving Fuller behind. Fuller began to worry that police may come by the parking lot and decided to proceed to the cemetery as well. Fuller heard an argument as he made his way down. Fuller heard Applicant arguing with Pollin about money Pollin owed him. According to Fuller, Hankerson stopped him at the gate to the Sons of Israel portion of the cemetery. Fuller then saw Applicant holding Pollin by his shirt before drawing a weapon and firing. Fuller ran after the first shot was fired. Fuller stayed in the car, and Applicant and Hankerson returned a few minutes later.

Other witnesses included Felicia Byrd ("Byrd"). Byrd claimed that she overheard a conversation between her late common-law husband and Applicant about Pollin's murder. Another witness, Leroy Bush ("Bush") testified that Applicant had tried to sell him a gun around the time of

¹ Fuller was incarcerated on unrelated charges when he came forward with the information. According to trial testimony, while Fuller had wanted assistance with his sentence when he came forward, his sentence was not reduced as a result of his cooperation in Applicant's case. (Tr. p. 138; pp. 141-150; pp. 185-187.)

² Hankerson had not been apprehended at the time of Applicant's trial.

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Pollin's death. Bush stated that he had asked Applicant about his "beef" with Pollin and that Applicant had responded that Pollin would not be disrespecting Applicant anymore.

Applicant presented an alibi defense through testimony of a girlfriend, Tantalea Bartley ("Bartley"). According to Bartley, Applicant had been with her from 10:15 or 10:30 pm until 4:30 or 5:00 am on the night Pollin was killed. Bartley was unable to recall the date but was certain Applicant was with her. Counsel testified that the primary defense goal was to discredit Tracy Fuller because Applicant's alibi was not ironclad.

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).

First, the Applicant must prove that counsel's performance was deficient. Under this prong,

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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. "A reasonable probability is a probability sufficient to undermine confidence in the outcome of trial." Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (*citing Strickland*).

Cross-Examination

Applicant asserts that Counsel inadequately cross-examined witnesses. Applicant specifically points to cross-examination of Tracy Fuller ("Fuller"). Counsel noted that she cross-examined Fuller regarding numerous inconsistencies in his prior statements (e.g. time of day, that the murder weapon had been disposed of). This court further notes that in her lengthy cross-examination Counsel thoroughly cross-examined Fuller on his motivations for testifying (seeking reduction in sentence) and his criminal record. (Tr. pp. 139-186.) Counsel further argued these important points in her closing. Counsel also thoroughly cross-examined and attacked the credibility of other witnesses. For example, Counsel inquired of Bush's approaching law enforcement after Applicant's arrest, expressing interest in what they could do to help reduce his own prison sentence. Based on the testimony and trial record, I find that Counsel performed well within reasonable professional norms in this regard. Applicant has also failed to show what benefit additional cross-examination would have yielded.

Footprint

Applicant asserts that Counsel was ineffective in handling a plaster cast taken of a shoe print

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at the crime scene. At trial, witnesses testified that the victim's footprints were readily identifiable at the crime scene. The area was well-travelled, and other footprints were at the scene. Investigators created a plaster cast of one footprint. Counsel was able to elicit that the shoe casting was never matched to anyone. (Tr. p. 415, lines 8-12; p. 419, lines 11-13.) Applicant states that Counsel failed to properly pursue the footprint evidence at trial, asserting that Counsel should have sought testing against his shoes to prove the footprint was not his.

I find Counsel's presentation of evidence through Officer Courtney at trial that the plaster cast was not matched to anyone, including the defendant, was reasonable under professional norms. No additional evidence specifically excluding Applicant was presented at PCR hearing. Even if additional testing had been done, there would be no effect on the outcome of trial. Additional evidence that the footprint could not be connected to the Applicant would be cumulative to Courtney's testimony.

Newly-Discovered Evidence

Applicant asserts that the testimony of Deidre Balde ("Balde") constitutes newly-discovered evidence entitling him to a new trial.

A party requesting a new trial based on after-discovered evidence must show that the evidence:

- (1) Is such as would probably change the result if a new trial was had;
- (2) Has been discovered since the trial;
- (3) Could not by the exercise of due diligence have been discovered before the trial;
- (4) Is material to the issue of guilt or innocence; and,
- (5) Is not merely cumulative or impeaching.

Hayden v. State, 278 S.C. 610, 611, 299 S.E.2d 854, 855 (1983).

At PCR hearing, Balde testified that she and Applicant had been in a relationship at the time of Pollin's murder, and the two have a child together. Balde stated that on the night of the shooting,



Hankerson had come to her apartment with another male in a hoodie who she did not know. Hankerson asked for Applicant's gun, and Balde said she complied. Balde stated that Hankerson later returned the gun in the early morning hours while it was still dark. According to Balde, Applicant came to her home later. She and Applicant argued about his being out and about her giving Hankerson the gun. Balde stated that Applicant told her later that day that Hankerson killed Pollin. Balde stated that she had not initially informed police of the night's events because she feared criminal prosecution herself.

I find that Balde's testimony does not constitute newly discovered evidence meriting a new trial. As a preliminary matter, Applicant was aware of the information provided by Balde at PCR hearing long before his trial; according to Applicant he did in fact argue with Balde and therefore knew about the story that was related at PCR hearing. That Balde only later came forward with this information does not make it "newly-discovered." See for example U.S. v. Dale, 991 F.2d 819 (C.A.D.C. 1993) (noting majority rule that coconspirator's later testimony after refusing to testify at trial does not constitute newly discovered evidence); U.S. v. Matos, 781 F.Supp. 273, 279 (S.D.N.Y. 1991) ("newly available" testimony not "newly discovered" where defendant knew what coconspirators' testimony could be). There is no evidence that Applicant divulged this information to investigators or Counsel or that Balde's testimony was pursued at the time of Applicant's trial in spite of his knowledge. Further, Balde's testimony would not change the outcome of trial. Balde's testimony at best raises a suspicion regarding Hankerson's involvement; Hankerson was alleged by the prosecution to have been involved in the crime. The prosecution pursued the cases under the theory of "hand of one, hand of all." Balde's testimony fails to set forth any alibi or impossibility that Applicant participated in the crime. See for example Glover v. State, 318 S.C. 496, 458 S.E.2d 538



(1995) (purported alibi which fails to establish physical impossibility is no alibi at all). Further, credibility would be in issue. Balde conceded that she hoped to see Applicant released from prison and had a personal relationship with the Applicant.

Applicant also presented results of his polygraph examination as new evidence. This evidence was also known to Applicant at the time of trial. Applicant chose not to testify at trial. Moreover, results of polygraph examinations are generally not admissible. See for example Lorenzen v. State, 376 S.C. 521 at 533, 657 S.E.2d 771 at 778 (2008). Interestingly, though his story contrasts with Morrison's, Fuller also passed a polygraph. Based on the foregoing, the results of the polygraph examination do not merit a new trial.

Other Allegations

No evidence in support of other allegations was presented at the PCR hearing. Therefore, such allegations are deemed waived.

CONCLUSION

Based on 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 rule

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243, SCACR, 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 21 day of Sept, 20 11.

Beatty
South Carolina

DA Early II
DOYET A. EARLY, II
Presiding Circuit Court Judge



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 16, 2011

RECEIVED

NOV 16 2011

Ms. Lisa H. Davenport
Circuit Court Reporter
P O Box 5485
Aiken, SC 29804

S.C. Supreme Court

Dear Ms. Davenport:

Please provide us with the following transcript:

Joseph Morrison, III v. State of South Carolina Case #: 06-CP-02-00858

County: Aiken Date of Trial: February 23, 2010

Presiding Judge: Doyet A. Early, III

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

Sincerely,

Sharon A. Graham
Administrative Coordinator

cc: S.C. Supreme Court
Attorney General's Office



Division of Appellate Defense
1330 Lady Street, Suite 401
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Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 16, 2011

RECEIVED

NOV 16 2011

Ms. Lisa H. Davenport
Circuit Court Reporter
P O Box 5485
Aiken, SC 29804

S.C. Supreme Court

Dear Ms. Davenport:

Please provide us with the following transcript:

Joseph Morrison, III v. State of South Carolina Case #: 06-CP-02-00858

County: Aiken Date of Trial: March 16, 2011

Presiding Judge: Doyet A. Early, III

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

Sincerely,

Sharon A. Graham
Sharon A. Graham
Administrative Coordinator

cc: S.C. Supreme Court
Attorney General's Office



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1330 Lady Street, Suite 401
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Post Office Box 11589
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Telephone: (803) 734-1330
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 16, 2011

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NOV 16 2011

Ms. Lisa H. Davenport
Circuit Court Reporter
P O Box 5485
Aiken, SC 29804

S.C. Supreme Court

Dear Ms. Davenport:

Please provide us with the following transcript:

Joseph Morrison, III v. State of South Carolina Case #: 06-CP-02-00858

County: Aiken Date of Trial: June 21, 2011

Presiding Judge: Doyet A. Early, III

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

Sincerely,

Sharon A. Graham
Administrative Coordinator

cc: S.C. Supreme Court
Attorney General's Office



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

May 8, 2012

RECEIVED

MAY - 8 2012

S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
Post Office Box 11330
Columbia, SC 29211

Dear Mr. Shearouse:

The following case falls under the 60 day rule for appeals, and the date we received the transcript is listed to the side.

Joseph Morrison, III v. State of South Carolina

5/8/2012

I would appreciate you beginning our time limits from the above date, and if you need additional information, or have any questions please contact me.

Thank you for your assistance in this matter.

Sincerely,

Sharon A. Graham
Administrative Coordinator



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

July 9, 2012

RECEIVED

JUL - 9 2012

S.C. Supreme Court

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

Re: Joseph Morrison, III v. State of South Carolina

Dear Mr. Shearouse:

The petition for writ of certiorari and appendix in the above-referenced case are due to be served and filed today. Because of my present workload, I respectfully request a thirty-day extension of this deadline. No prior extensions have been requested in this case.

By copy of this letter, I am informing Megan Harrigan, Esquire, of the Office of the Attorney General, of this extension request.

Thanking you for your cooperation and assistance in this matter.

Sincerely,

Susan B. Hackett

Susan B. Hackett
Appellate Defender

SBH/eab

cc: Megan Harrigan

201592

The Supreme Court of South Carolina

Joseph Morrison III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592


The Honorable Doyet A. Early, III
Aiken County
Trial Court Case No. 2006CP0200858

ORDER

The request for an extension to serve and file the Petition for Writ of Certiorari and Appendix is granted and extended until August 9, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

July 10, 2012

cc:

Susan Barber Hackett

Megan Elizabeth Harrigan

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Aiken County

Doyet, A. Early, III, Circuit Court Judge

RECEIVED

AUG - 9 2012

S.C. Supreme Court

JOSEPH MORRISON, III,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2011-201592

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel is preparing to file the petition for writ of certiorari and accompanying appendix in the case of Joseph Jennings v. State in this Court today, August 9, 2012. Counsel is preparing to file the initial brief of appellant and designation of matter in the case of State v. Derringer Young in the Court of Appeals by August 17,

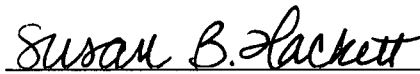
2012. Counsel filed the return to the petition for writ of certiorari in the case of State v. Bentley Collins in this Court on July 30, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James D. Chapman in the Court of Appeals on July 25, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marshall D. McGaha in the Court of Appeals on July 23, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix with Chief Appellate Defender Robert M. Dudek, in the capital case of Richard Bernard Moore v. State in this Court on July 18, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Andre D. Johnson v. State in this Court on July 9, 2012. Counsel filed the petition for writ of certiorari in the case of Eric Joshua Turner v. State in this Court on June 28, 2012. Counsel filed the Petition for Rehearing in the case of State v. Thomas Smart in the Court of Appeals on June 28, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix for Gene W. Hall v. State in this Court on June 22, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix for Drew John Monahan v. State in this Court on June 15, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jonta Green in the Court of Appeals on June 7, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix and brief of appellant pursuant to White v. State in the case of Courtney Sease v. State in this Court on June 5, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Terrance Hooker in the Court of Appeals on June 1, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robdrecko Andray Niles v. State in this Court on May 30, 2012. Counsel filed the initial brief of

appellant and designation of matter in the case of State v. Rodriques Carter in the Court of Appeals on May 23, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Chris Teasley in the Court of Appeals on May 17, 2012. Counsel filed the petition for rehearing in the case of State v. James Craig White in the Court of Appeals on May 16, 2012.

3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Susan B. Hackett
Appellate Defender

August 9, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Aiken County

Doyet, A. Early, III, Circuit Court Judge

JOSEPH MORRISON, III

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

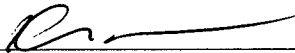
The undersigned attorney hereby certifies the petition in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Megan Harrigan, Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 9th day of August, 2012.

Susan B. Hackett

Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 9th day of August, 2012.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: October 2, 2013.

The Supreme Court of South Carolina

Joseph Morrison III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592

The Honorable Doyet A. Early, III
Aiken County
Trial Court Case No. 2006CP0200858

ORDER

For good cause shown, the request for an extension to serve and file the Petition for Writ of Certiorari and Appendix is granted and extended until September 10, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

FOR THE COURT

BY 

CLERK

Columbia, South Carolina

August 10, 2012

cc:

Susan Barber Hackett

Megan Elizabeth Harrigan

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

Certiorari to Aiken County

SEP 10 2012

Doyet A. Early, III, Circuit Court Judge, S.C. Supreme Court

JOSEPH MORRISON, III,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2011-201592

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX

The undersigned counsel would respectfully request a **final** thirty-day extension, until October 10, 2012, in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by two prior orders of this Court.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell Gleaton v. State in this Court on September 4, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of

Ronnie Middleton v. State in this Court on September 4, 2012. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Joseph Graddick in the Court of Appeals on August 28, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derringer Young in the Court of Appeals on August 16, 2012. Counsel participated in the reconstruction hearing in the case of Tonnie Baldwin v. State on August 16, 2012 in Bamberg, South Carolina before the Honorable Doyet A. Early, III. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kendrick Littlejohn in the Court of Appeals on August 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Jennings v. State in this Court on August 9, 2012. Counsel filed the return to the petition for writ of certiorari in the case of State v. Bentley Collins in this Court on July 30, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James D. Chapman in the Court of Appeals on July 25, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marshall D. McGaha in the Court of Appeals on July 23, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix with Chief Appellate Defender Robert M. Dudek, in the capital case of Richard Bernard Moore v. State in this Court on July 18, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Andre D. Johnson v. State in this Court on July 9, 2012. Counsel filed the petition for writ of certiorari in the case of Eric Joshua Turner v. State in the Supreme Court on June 28, 2012. Counsel filed the Petition for Rehearing in the case of State v. Thomas Smart in the Court of Appeals on June 28, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix for Gene W. Hall v. State in this Court on June 22, 2012.

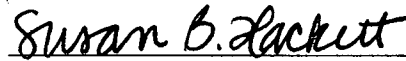
Counsel filed the petition for writ of certiorari and accompanying appendix for Drew John Monahan v. State in this Court on June 15, 2012

3. This request is made in good faith, and not for purposes of delay.

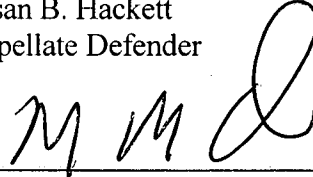
5. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final** thirty-day extension, until October 10, 2012, in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



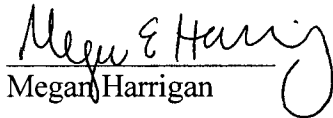
Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

September 10, 2012

I DO NOT OPPOSE:


Megan Harrigan

The Supreme Court of South Carolina

Joseph Morrison III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592

The Honorable Doyet A. Early, III
Aiken County
Trial Court Case No. 2006CP0200858

ORDER

For good cause shown, the request for an extension to serve and file the Petition for Writ of Certiorari and Appendix is granted and extended until October 10, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

September 11, 2012

cc: Susan Barber Hackett
Megan Elizabeth Harrigan



ALAN WILSON
ATTORNEY GENERAL

November 26, 2012

RECEIVED

NOV 26 2012

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

S.C. Supreme Court

Re: Joseph Morrison, III v. State of South Carolina
2006-CP-02-0858
Appellate Case No. 2011-201592

Dear Mr. Shearouse:

The Return to Petition for Writ of Certiorari in the above appeal is due to be served and filed on today's date. However, this is to respectfully request a 30-day extension to serve and file this Return.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by a workload.

Sincerely,

Megan E. Harrigan

Megan E. Harrigan
Assistant Attorney General
SC Bar No. 100108

MEH/lm

cc: Susan B. Hackett, Esquire

The Supreme Court of South Carolina

Joseph Morrison III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592

The Honorable Doyet A. Early, III
Aiken County
Trial Court Case No. 2006CP0200858

ORDER

The request for an extension to serve and file the Return to the Petition for Writ of Certiorari is granted and extended until December 27, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
November 27, 2012

cc: Susan Barber Hackett
Megan Elizabeth Harrigan



ALAN WILSON
ATTORNEY GENERAL

December 27, 2012

RECEIVED

DEC 21 2012

S.C. Supreme Court

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

Re: Joseph Morrison, III v. State of South Carolina
2006-CP-02-0858
Appellate Case No. 2011-201592

Dear Mr. Shearouse:

The Return to Petition for Writ of Certiorari in the above appeal is due to be served and filed on today's date. However, this is to respectfully request a 30-day extension to serve and file this Return.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by a workload.

Sincerely,

Megan E. Harrigan
Assistant Attorney General
SC Bar No. 100108

MEH/lm

cc: Susan B. Hackett, Esquire

The Supreme Court of South Carolina

Joseph Morrison III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592

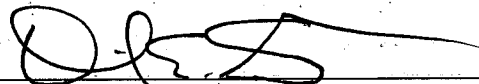
The Honorable Doyet A. Early, III
Aiken County
Trial Court Case No. 2006CP0200858

ORDER

For good cause shown, the request for an extension to serve and file the Return to the Petition for Writ of Certiorari is granted and extended until January 28, 2013. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
December 27, 2012

cc: Susan Barber Hackett
Megan Elizabeth Harrigan



ALAN WILSON
ATTORNEY GENERAL

RECEIVED

JAN 28 2013

January 28, 2013

S.C. Supreme Court

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

Re: Joseph Morrison, III v. State of South Carolina
2006-CP-02-0858
Appellate Case No. 2011-201592

Dear Mr. Shearouse:

The Return to Petition for Writ of Certiorari in the above appeal is due to be served and filed on today's date. However, this is to respectfully request a 30-day extension to serve and file this Return. By her signature below, Susan Hackett, indicates that she consents to this extension.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by a workload.

Sincerely,

Megan E. Harrigan
Assistant Attorney General
SC Bar No. 100108

MEH/lm

cc: Susan B. Hackett, Esquire

In compliance with:

In Re: Extensions in Criminal and Post-Conviction Relief Cases, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1).

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

SUSAN B. HACKETT
Appellate Defender

The Supreme Court of South Carolina

Joseph Morrison III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592


The Honorable Doyet A. Early, III
Aiken County
Trial Court Case No. 2006CP0200858.

ORDER

For good cause shown, the request for an extension to serve and file the Return to the Petition for Writ of Certiorari is granted and extended until February 28, 2013. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

FOR THE COURT

BY

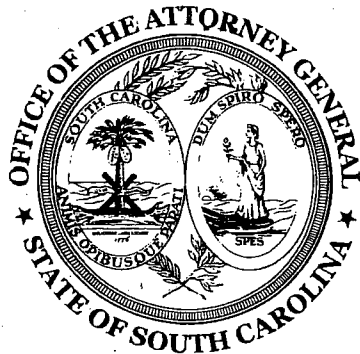


CLERK

Columbia, South Carolina
January 29, 2013

cc: Susan Barber Hackett, Esquire
Megan Elizabeth Harrigan, Esquire

RFC



ALAN WILSON
ATTORNEY GENERAL

February 26, 2013

RECEIVED

FEB 26 2013

S.C. Supreme Court

PCR

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

Re: Joseph Morrison, III v. State of South Carolina
Appellate Case No. 2011-201592
Lower Court Case No. 2006-CP-02-0858

Dear Mr. Shearouse:

I am enclosing the original and six (6) copies of the **Return to Petition for Writ of Certiorari** in the above case.

Sincerely,

Megan E. Harrigan
Assistant Attorney General
SC Bar No. 100108

MEH/lm
Enclosures

cc: Susan B. Hackett, Esquire
Trisha Allen, Victim Services

The Supreme Court of South Carolina

RE: TRANSFER OF CASES FROM SOUTH
CAROLINA SUPREME COURT TO THE COURT OF
APPEALS

ORDER

Pursuant to Rule 243(l), SCACR, the following post-conviction relief cases are hereby transferred to the South Carolina Court of Appeals:

Appellate Case Number

Case Name

1.	2012-212734	Ricky Lee Hatcher v. State
2.	2012-209540	Jerome Curtis Buckson v. State
3.	2012-207809	Nathaniel Suber v. State
4.	2012-207247	Charles McCormick v. State
5.	2012-206670	Luther-Brian Marcus v. State
6.	2011-204374	Herman Belton v. State
7.	2011-202768	LaVelle Weaver v. State
8.	2011-195210	Tonnie Baldwin v. State
9.	2012-213472	Ricky Dean Duncan v. State
10.	2012-213423	Jose Antonio Anzaldo v. State
11.	2012-213326	Jeremy T. Durant v. State
12.	2012-213323	Adrian Franklin v. State
13.	2012-213322	Carlos Gonzales v. State
14.	2012-213312	Eric LaGeorge Mouzon v. State
15.	2012-213235	Robert Edgar Upchurch v. State
16.	2012-213200	William Outlaw v. State
17.	2012-213167	Jeremy J. Jeter v. State
18.	2012-213133	Sherman Boyd v. State
19.	2012-213131	Waddell McGhee v. State
20.	2012-213130	Ken Lucero v. State
21.	2012-213072	Giles Belcher v. State
22.	2012-212964	Marques A. Durant v. State
23.	2012-212912	Robert L. Foster v. State

24.	2012-212911	Jimmy Belton v. State
25.	2012-212909	James E. Kennedy v. State
26.	2012-212880	Marvin Mims v. State
27.	2012-212848	Rodregus Wells v. State
28.	2012-212793	Jeffery Augustine v. State
29.	2012-212751	Robert Bostic v. State
30.	2012-212702	Samuel Emanuel Stokes v. State
31.	2012-212701	Farid A. Mangal v. State
32.	2012-212698	Marquita Smith v. State
33.	2012-212676	Whelthy McKune v. State
34.	2012-212671	John W. Floyd v. State
35.	2012-212608	Adrian Allen v. State
36.	2012-212602	Oscar Fortune v. State
37.	2012-212589	Clarence Collins v. State
38.	2012-212576	Edward Whitner v. State
39.	2012-212557	Luis Ozorio v. State
40.	2012-212553	Stephens Smalls v. State
41.	2012-212552	Lawrence K. Smith, Jr. v. State
42.	2012-212550	Marcus J. Parker v. State
43.	2012-212521	Eugene Santiago v. State
44.	2012-212506	Lakendrick K. Leverette v. State
45.	2012-212504	Nicolas Brown v. State
46.	2012-212418	James Edward Roseboro v. State
47.	2012-212417	Alex Brice Graham v. State
48.	2012-212416	Jovon Brown v. State
49.	2012-212414	Islam Dunn v. State
50.	2012-212412	Donna Marie Redding v. State
51.	2012-212410	Gary Michael Piper v. State
52.	2012-212409	Raymond Kelley v. State
53.	2012-212402	Octavious C. Neeley v. State
54.	2012-212399	Walter Durham v. State
55.	2012-212398	Jomer Hill v. State
56.	2012-212397	Steven D. Denton v. State
57.	2012-212396	Martina R. Putnam v. State
58.	2012-212316	Theodore Kyinoo v. State
59.	2012-212314	Antwon Garrett v. State
60.	2012-212310	Charles Gory v. State
61.	2012-212308	George N. Moses v. State
62.	2012-212306	Michael Shane Johnson v. State
63.	2012-212305	Herman D. McKnight v. State
64.	2012-212301	Elkin Perez v. State
65.	2012-212179	Alton Docherty v. State
66.	2012-212177	Craig M. Brannon v. State
67.	2012-212175	Favian Alfonzo Hayes v. State

68. 2012-212173 Dwayne Housey v. State
69. 2012-212164 William D. Hoyles v. State
70. 2012-212163 Sherman Graham v. State
71. 2012-212161 Roger Nickeya Johnson v. State
72. 2012-212153 Sintari A. Summers v. State
73. 2012-212149 James J. Abercrombie v. State
74. 2012-212147 Lawrence Reyes Waller v. State
75. 2012-212117 Vincent A. Pitts v. State
76. 2012-212097 Damjon Curry v. State
77. 2012-212094 Desmond Briggs v. State
78. 2012-212093 Jose Eloy Tello v. State
79. 2012-212092 Charles Ray Dean v. State
80. 2012-212091 David L. Bacchus v. State
81. 2012-212086 Chas Lamous Smith v. State
82. 2012-212084 Kevin King v. State
83. 2012-212083 Heyward Robinson v. State
84. 2012-212080 Antonio M. Williams v. State
85. 2012-212075 Donques Hood v. State
86. 2012-212074 Donald Wetherall v. State
87. 2012-212073 Antonio Barton v. State
88. 2012-212072 Wayne Morris Hibbert v. State
89. 2012-211647 Sherman Dewalt v. State
90. 2012-211629 Myra Christenbury v. State
91. 2012-211390 John Douglas Alexander v. State
92. 2012-211388 Benjamin Garrick v. State
93. 2012-211386 Jason Moulton v. State
94. 2012-211291 James A. McClellan v. State
95. 2012-211288 James Marion Branham v. State
96. 2012-211093 Sterling Green v. State
97. 2012-211091 Darryl Frierson v. State
98. 2012-211087 Christopher Ray Nolan v. State
99. 2012-210227 James Clayton Helms v. State
100. 2012-210226 Timothy T. Kinard v. State
101. 2012-210213 Walter C. Kelly v. State
102. 2012-210209 Vincent L. Neumon v. State
103. 2012-210168 Lisa Ann Blakeney v. State
104. 2012-209535 Trico D. Thompson v. State
105. 2012-209533 George R. Lindsey, Jr. v. State
106. 2012-209530 John Lewis Mills v. State
107. 2012-209507 David Bryant Richards v. State
108. 2012-209506 Norman J. Hayes v. State
109. 2012-208888 Cedric T. Smith v. State
110. 2012-208639 Darian G. Reddish v. State
111. 2012-208631 Thomas Osborne v. State
112. 2012-208630 Timothy Earl Green v. State

113. 2012-208629 Dorothy Harden v. State
114. 2012-208626 Ruben Ramirez v. State
115. 2012-208013 Virgil Lee Culbreath v. State
116. 2012-208009 Jose N. Alvarenga v. State
117. 2012-207807 Harold Lee Greer Jr. v. State
118. 2012-207561 Dwayne R. Clark v. State
119. 2012-207560 Nathan Luckett v. State
120. 2012-207554 James C. Cobbett, III v. State
121. 2012-206673 Angela M. Vaughn v. State
122. 2012-206649 James L. Farrow v. State
123. 2012-206047 Fernando F. Young v. State
124. 2012-205987 Lazarus M. Brannon v. State
125. 2011-203247 Michael Lathan v. State
126. 2011-203229 Tobias Chano Lee v. State
127. 2011-202771 Harrison Sanders v. State
128. 2011-202766 Helen Marie Douglas v. State
129. 2011-201592 Joseph Morrison, III v. State
130. 2012-213492 Kenneth Epps v. State
131. 2011-199421 Dominique D. Moore v. State
132. 2011-199420 Donald Carter v. State
133. 2011-199419 Quandelle J. Wilson v. State
134. 2011-199412 Carmen Latrice Rice v. State
135. 2011-196598 Dayvonn A. Valentine v. State
136. 2011-190110 Luzenski Allen Cottrell v. State
137. 2013-000410 Lindy L. Jones v. State
138. 2013-000365 Samuel Abiodun v. State
139. 2012-213324 Terrance A. Baker v. State
140. 2012-213158 James Corbett v. State
141. 2012-213515 Odis D. State
142. 2012-212825 Johnny L. Friazer v. State
143. 2012-212750 Jeremy McPhail v. State
144. 2012-212699 Jovian McRant v. State
145. 2012-212503 John Barbare v. State
146. 2012-212170 Mark Lowery v. State
147. 2012-212088 Andre Martin v. State
148. 2012-211088 Kevin L. Grant v. State
149. 2011-202772 Antonio Glover v. State
150. 2011-203631 Michael Bohannan v. State

IT IS SO ORDERED.


C.J.
FOR THE COURT

Columbia, South Carolina

July 29, 2013

cc: Chief Appellate Defender Robert M. Dudek
Deputy Chief Appellate Defender Wanda H. Carter
Appellate Defender Robert M. Pachak
Appellate Defender Kathrine H. Hudgins
Appellate Defender LaNelle C. DuRant
Appellate Defender Susan B. Hackett
Appellate Defender Benjamin J. Tripp
Appellate Defender Carmen V. Ganjehsani
Appellate Defender David Alexander
Assistant Deputy Attorney General Salley W. Elliott
Assistant Attorney General John W. Whitmire
Assistant Attorney General Tyson A. Johnson
Assistant Attorney General Suzanne H. White
Assistant Attorney General Ashleigh R. Wilson
Assistant Attorney General Megan E. Harrigan
Assistant Attorney General Karen C. Ratigan
Assistant Attorney General Daniel F. Gourley
Assistant Attorney General David A. Spencer
Assistant Attorney General J. Rutledge Johnson
John Benjamin Aplin, Esquire
Tricia Blanchette, Esquire
J. Falkner Wilkes, Esquire
John R. Ferguson, Esquire
Tara D. Shurling, Esquire
Joel F. Stroud, Esquire
Thomas W. Dunaway, III, Esquire
Beattie B. Ashmore, Esquire
John D. Dalgado, Esquire
Franklin G. Shuler, Esquire
Paul Archer, Esquire
Dwight C. Moore, Esquire
Tommy Thomas, Esquire
James R. Snell, Esquire
Ricky Dean Duncan
Jose Antonio Anzaldo
Jeremy T. Durant
Adrian Franklin
Robert E. Upchurch
Jeremy J. Jeter
Sherman Boyd

Waddell McGhee
Giles Belcher
Marques A. Durant
Robert L. Foster
James E. Kennedy
John W. Floyd
Adrian A. Allen
Lakendrick K. Leverette
Nicolas Brown
Alex B. Graham
Islam Dunn
Raymond Kelley
Walter Durham
Charles Gory
Herman D. McKnight
Alton Docherty
William D. Hoyles
Sherman Graham
Sintati A. Summers
James J. Abercrombie
Desmond Briggs
Heyward Robinson
Donques Hood
Sherman Dewalt
John D. Alexander
Benjamin Garrick
Timothy E. Green
Jose N. Alvarenga
Michael Lathan
Dayvonn A. Valentine
Lindy L. Jones
Terrance A. Baker
James Corbett
Brain Less
Johnny L. Frazier
Jeremy McPhail
Mark Lowery
Michael Bohannan
Jeffery Augustine
Kenneth Epps
The Honorable Jenny Kitchings



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 18, 2014

Ms. Susan Barber Hackett, Esquire
Division Of Appellate Defense
PO Box 11589
Columbia SC 29211-1589

Re: Joseph Morrison III v. The State
Appellate Case No. 2011-201592

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Megan Elizabeth Harrigan, Esquire
Alan McCrory Wilson, Esquire
The Honorable Doyet A. Early, III

The South Carolina Court of Appeals

Joseph Morrison III, Petitioner,

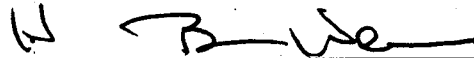
v.

State of South Carolina, Respondent.

Appellate Case No. 2011-201592

ORDER

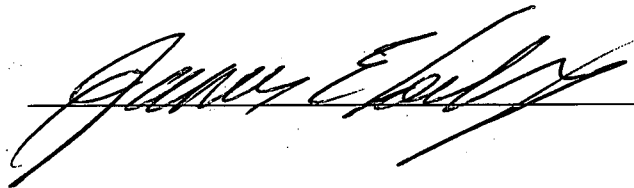
This matter is before the Court on a petition for a writ of certiorari following the denial of Petitioner's application for post-conviction relief. The petition for a writ of certiorari is denied.



J.



J.

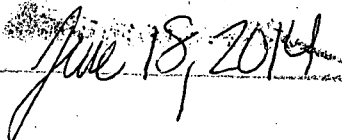


J.

Columbia, South Carolina

cc: Susan Barber Hackett, Esquire
Megan Elizabeth Harrigan, Esquire

FILED





The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 07, 2014

The Honorable Liz Godard
PO Box 583
Aiken SC 29802-0583

REMITTITUR

Re: Joseph Morrison III v. The State
Lower Court Case No. 2006CP0200858
Appellate Case No. 2011-201592

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,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Susan Barber Hackett, Esquire
Megan Elizabeth Harrigan, Esquire
Alan McCrory Wilson, Esquire
The Honorable Doyet A. Early, III