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December 19, 2017

RECEIVED

DEC 27 2017

S.C. SUPREME COURT

VIA U.S. MAIL

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

Re: *Jonta Green, SCDC #34085 v. State of South Carolina*
Civil Action No.: 2013-CP-10-6337

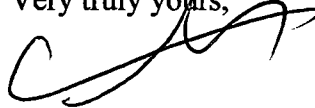
Dear Mr. Shearhouse:

Enclosed for filing, please find an original and two copies of Appellant's Notice of Appeal of the denial of his application for Post-Conviction Relief, and a Proof of Service regarding same. If you find everything in order, please file the original and return the clocked-in copies in the enclosed self-addressed envelope.

Please note, I was appointed to this and case and have copied the Office of Appellate Defense on this who will handle the appeal. Please call if you have any questions.

With kindest regards, I am

Very truly yours,



Christopher L. Murphy, Esq.
For the Firm

CLM/jh

Enclosures

cc (w/ encls.): Mr. Jonta Green
Megan Harrigan Jameson, Senior Asst. Dep. AG
Robert M. Dudek, Esquire, Off of Appellate Defense
The Honorable Eugene C. Girffith, Jr.
The Honorable Julie J. Armstrong, Clerk, 9th Jud. Cir.

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Case No.: 2013-CP-10-6337

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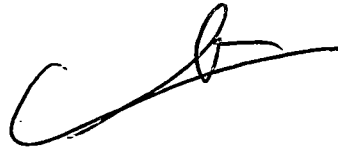
S.C. SUPREME COURT

Jonta Green, SCDC #340485 Appellant!
v.
State of South Carolina Respondent

NOTICE OF APPEAL

Appellant files this belated appeal of the denial of his PRC application Case No. 2013-CP-10-6337 (attached) pursuant to consent order dated December 7, 2017, Case No.: 2015-CP-10-6633, (also attached).

December 19, 2017



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STATE OF SOUTH CAROLINA)
 COUNTY OF CHARLESTON)
)
 Jonta Green, SCDC # 340485,)
)
 Applicant,)
)
 vs.)
)
 State of South Carolina,)
)
 Respondent.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOR THE NINTH JUDICIAL CIRCUIT

Case No. 2015-CP-10-6633

**CONSENT ORDER GRANTING RIGHT
 TO SEEK BELATED APPELLATE REVIEW
 PURSUANT TO AUSTIN V. STATE**

FILED
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 JUDGE OF COURT
 12016

This matter comes before the Court by way of an application for post-conviction relief filed December 9, 2015. Respondent made its Return and Motion to Dismiss all Claims Except Austin Review on August 5, 3016.

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Charleston County Clerk of Court. During its January 2009 term, the Charleston County Grand Jury indicted Applicant for murder and possession of a weapon during the commission of a violent crime. Demal Mattson, Esquire, represented Applicant. On April 22, 2010, Applicant proceeded to a jury trial in the Charleston County Court of General Sessions before the Honorable Deadra L. Jefferson, circuit court judge. At the conclusion of the trial, the jury convicted Applicant of the lesser-included offense of voluntary manslaughter and as indicted of possession of a weapon during the commission of a violent crime. Judge Jefferson sentenced Applicant to twenty-three years imprisonment for voluntary manslaughter and five years imprisonment for possession of a weapon during the commission of a violent crime, with both sentences to be served concurrently.

Thereafter, Applicant filed a motion to reconsider his sentence on April 30, 2010. On

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May 11, 2010, Judge Jefferson convened a hearing on Applicant's motion, and after hearing arguments from both parties, granted Applicant's motion and reduced his sentence for voluntary manslaughter to twenty years imprisonment.

Applicant filed a timely notice of appeal and an appeal was perfected on his behalf by Appellate Defender Susan B. Hackett of the South Carolina Commission on Indigent Defense—Division of Appellate Defense. Following the submission of a brief pursuant to Anders v. California, 386 U.S. 738 (1967), the South Carolina Court of Appeals granted counsel's request to be relieved and dismissed Applicants appeal. State v. Jonta Green, 2013-UP-046 (Ct. App. filed Jan. 30, 2013). The remittitur was returned to the circuit court on February 21, 2013.

First PCR Application: 2013-CP-10-6337

Applicant filed his first PCR application on October 28, 2013, alleging the following grounds

for relief:

1. Ineffective assistance of counsel
 - a. Failure to object to improper and insufficient foundation where the medical examiner Amy Shield was unavailable to attest to the medical examination report
 - b. Failure to object to Dr. Schandl's hearsay testimony of Dr. Shield's medical examination report
 - c. Failure to object where the question of the cause of death would call for speculation
 - d. Failure to advise that stipulation waived his right to prove every element of the alleged crimes
 - e. Failure to advise that the stipulation would create a burden shifting affect and cause the Petitioner to prove self-defense
 - f. Failure to advise the Petitioner of serious medical issues from brain surgery

The State made its return to the application on December 22, 2014. An evidentiary hearing was held on February 18, 2015 before the Honorable Eugene C. Griffith, Jr. James K. Falk, Esquire, represented Applicant. Assistant Attorney General Ashleigh R. Wilson of the South Carolina Attorney General's Office represented Respondent. Following the hearing, Judge Griffith denied

and dismissed the application with prejudice by written order filed July 1, 2015. Applicant filed a timely notice of appeal, but later asked the Supreme Court to dismiss his appeal without prejudice so he could file a motion to alter or amend Judge Griffith's order pursuant to Rule 59(e), SCRPC. The Court dismissed Applicant's appeal, and Judge Griffith later denied his motion to alter or amend by written order filed August 3, 2015. Applicant did not file a notice of appeal following this order.

ALLEGATIONS

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

1. Ineffective Assistance of PCR Counsel
 - i. PCR Counsel was ineffective in failing to file an appeal following the denial of application.

In support of this allegation, Applicant presented an affidavit from former PCR counsel, James K. Falk, wherein Falk states, "I neglected to file a Notice of Appeal from the decision to deny relief under 59(e). . . . Mr. Green it was my error for failing to file a timely notice of appeal, and I regret the inconvenience that this has caused the parties hereto." See attached affidavit from James K. Falk.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Applicant alleges he was denied the right to seek an appeal following the dismissal of his previous post-conviction relief application. Pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991), a post-conviction relief applicant may petition the South Carolina Supreme Court for discretionary review of the dismissal of his or her PCR application.

After review of the facts and circumstances surrounding the waiver of Applicant's right to appeal the denial of allegations in Applicant's post-conviction relief application, the parties

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below have consented to the granting of an appeal of Applicant's first post-conviction relief application (2013-CP-10-6337) pursuant to Austin v. State. The parties agree Applicant did not voluntarily waive his right to seek an appeal of the post-conviction relief court's denial and dismissal of Applicant's first application for post-conviction relief. Based on the documents submitted from the previous PCR file, it appears to the parties and this Court Applicant did not freely and voluntarily waive the right to appeal his first application for post-conviction relief, and PCR counsel failed to file a timely Notice of Appeal of the application.

Based upon the foregoing, this Court finds granting Applicant's request to seek belated appellate review of his first PCR (2013-CP-10-6337) pursuant to Austin v. State is warranted. Counsel for the State and Applicant's current PCR counsel consented to the granting of leave to pursue a PCR appeal in this matter. Applicant's current PCR counsel is instructed to file a Notice of Appeal with the South Carolina Supreme Court pursuant to Rule 243, SCACR.

IT IS THEREFORE ORDERED:


1. Applicant remain in the custody of the South Carolina Department of Corrections; and
2. Applicant is granted the right to seek a belated appellate review of case 2012-CP-21-2999 pursuant to Austin v. State.

AND IT IS SO ORDERED this 4th day of Dec, 2017.


DEBRA L. JEFFERSON
Chief Administrative Judge for Common Pleas
Ninth Judicial Circuit


Chat, South Carolina.

We move and consent:


Christopher L. Murphy, Esquire
Attorney for Applicant


Megan Harrigan Jameson
Attorney for the State



ATTEST: A TRUE COPY
JULIE J. ARMSTRONG (SEAL)
CLERK, C.P., G.S. & TC
By 
DEPUTY CLERK

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 Jonta Green, #340485,)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 2013-CP-10-6337

ORDER OF DISMISSAL

FILED
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 JULIE J. ANDERSON
 CLERK OF COURT

Presiding Judge: The Honorable Eugene C. Griffith, Jr.
 Applicant's Attorney: James Falk, Esquire
 Respondent's Attorney: Ashleigh R. Wilson, Esquire
 Trial Counsel: Demal Mattson, Esquire
 Date of Hearing: 2/18/2015
 Court Reporter: Karen V. Anderson

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed October 28, 2013. The Respondent made its return on December 22, 2014. An evidentiary hearing on the matter was convened on February 18, 2015 at the Charleston County Courthouse. The Applicant was present at the hearing and represented by James Falk, Esquire. Ashleigh R. Wilson, Esquire of the South Carolina Office of the Attorney General represented the Respondent.

Also testifying was Demal Mattson, Esquire. The Court had before it the trial transcript, the Charleston County Clerk of Court records, and the Applicant's records from the South Carolina Department of Corrections, the Applicant's application, the Respondent's return, the appellate records, and the exhibits submitted by the Applicant during the evidentiary hearing¹.

¹ Applicant's exhibit 1- a letter to the Applicant from Shonda Gennings; Applicant's exhibit 2- the stipulation of the parties regarding the gun turned in to police.

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PROCEDURAL HISTORY

The Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Charleston County Clerk of Court. The Applicant was indicted at the January 2009 term of the Charleston County Grand Jury for murder (2009-GS-10-0113). The Applicant was represented by Demal Mattson, Esquire.

On April 22, 2011, the Applicant proceeded to trial and was found guilty of the lesser included offense of voluntary manslaughter. The Applicant was sentenced by the Honorable Deadra L. Jefferson to confinement for the period of twenty-three years. The Applicant's sentence was amended on May 11, 2011 to twenty years.

The Applicant filed a timely Notice of Appeal. His appeal was perfected by Susan Hackett, Esquire, of the South Carolina Office of Appellate Defense. The Applicant's appeal was dismissed by the Court on January 30, 2013 after review pursuant to Anders v. California. The Remittitur was issued on February 21, 2013.

ALLEGATIONS

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

1. Ineffective assistance of counsel.
 - a. Failure to object to improper and insufficient foundation where the medical examiner Amy Shield was unavailable to attest to the medical examination report.
 - b. Failure to object to Dr. Schandl's hearsay testimony of Dr. Shield's medical examination report.
 - c. Failure to object where the question of the cause of death would call for speculation.
 - d. Failure to advise that stipulation waived his right to prove every element of the alleged crimes.
 - e. Failure to advise that the stipulation would create a burden shifting affect and cause the Petitioner to prove self-defense.
 - f. Failure to advise the Petitioner of serious medical issues from brain surgery.

At the hearing, Applicant proceeded solely on the allegations of ineffective assistance of counsel for the following reasons:

1. Ineffective assistance of counsel.
 - a. Failure to investigate witnesses.
 - b. Failure to call Shonda Gennings.
 - c. Stipulating about the gun turned in by the Applicant at trial.
 - d. Failure to object to Dr. Schandl's hearsay testimony of Dr. Shield's medical examination report.
 - e. Failure to advise the Petitioner of serious medical issues from brain surgery.

All allegations raised in the application and not addressed in this order are deemed abandoned as the Applicant failed to present any evidence, argument, or testimony regarding such claims.

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 and arguments presented at the PCR hearing. This Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court has weighed the testimony accordingly.

Set forth below are the relevant findings of fact and conclusion of law as required by S.C. Code Ann. Sec. 17-27-80 (2003).

Summary of the Testimony

The Applicant, Jonta Green, was present and testified he retained Demal Mattson to represent him at trial. He testified he met with counsel four times within seventeen months. He testified counsel mentioned having a tumor removed before he went to trial. The Applicant also testified he told counsel to investigate witnesses, but trial counsel already had witnesses. The Applicant testified he showed counsel a letter from his child's mother and told him he wanted to call her as a witness at his trial. The Applicant testified trial counsel said he would look into it,

but he never put the letter into evidence. He testified further he also wanted counsel to call his fiancé's father as a character witness.

The Applicant testified he reviewed his discovery materials with counsel shortly before trial. He testified trial counsel told him to set aside funds for a private investigator. He testified he did not discuss stipulating to testimony with counsel prior to trial. The Applicant testified counsel stipulated that the gun turned in by the Applicant was used to shoot the victim. He testified trial counsel helped him turn himself in. The Applicant testified counsel told him the solicitor wanted the weapon, so he turned the weapon in.

Also present and testifying was Demal Mattson, Jr., Esquire. Mr. Mattson testified he was retained to represent the Applicant. Counsel testified he has been a trial lawyer since 1967. He testified he was always available to speak to and meet with the Applicant and his family. He testified he also met with the Applicant several times at the jail about his bond.

Counsel testified the first thing he did was get the discovery materials and try to develop a defense theory for the case. He testified the difficulty with the case was that several people at the party personally knew the Applicant and had identified the Applicant as the shooter. Counsel testified "who done it" was not an issue and they could not go forward on factual innocence. Counsel also testified he discussed his trial strategy with the Applicant. Counsel testified he discussed the strengths and weakness of self-defense with the Applicant. Counsel testified they ultimately decided to go forward on self-defense. He testified the defense was a distant shot, but at least it would increase the Applicant's potential for acquittal or conviction to something lesser than murder. Counsel testified they presented testimony about self-defense with the hopes that the Applicant would get voluntary or involuntary manslaughter.

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Counsel testified during his investigation, he looked for anything to challenge the credibility of the State's witnesses. He testified he made a list of questions for each State witness. Counsel testified they hired a private investigator. He testified the investigator did not get much because the community was hostile. Counsel testified he took all witness statements and reports and made notes and looked for inconsistencies and discrepancies.

Counsel testified he stipulated to certain facts at trial. He testified he stipulated about the weapon belonging to the Applicant because everyone saw the Applicant and the victim fighting. He testified he discussed with the Applicant why they should turn over the gun. He also testified that to argue self-defense you had to agree that the Applicant shot the victim. Counsel testified his strategy was to argue people saw the Applicant and the victim fighting over the gun and the victim was shot. Counsel testified stipulating the weapon being the Applicant's was part of his trial strategy. He testified the only question about the gun was who pulled the trigger. Counsel testified he did not believe in fighting with the State over an issue that the jury would wonder what they were fighting over. Counsel testified it was common sense that the gun was involved, and he did not want the jury to think that he was misleading them.

Counsel testified the State called Dr. Schandl at trial. He testified there was no question that the victim died from a head wound and that the gun was close to his head. He testified the angle of the shot was not relevant because the Applicant and the victim were seen wrestling over the gun. He testified he recalled the victim's wound being classified as an exit wound.

Counsel testified there was no use excluding the autopsy report when witnesses testified the victim was shot in the head by the Applicant. He testified he did not consider having the report excluded because so many witnesses had already said what took place. Counsel testified

no matter how close the gun was to the victim's head during the struggle, he did not want to try to convince the jury that something was false when it was obviously true.

Counsel testified he is aware that the Applicant has a Sixth Amendment right to confront his accusers. He testified he was aware that the autopsy report contained hearsay, but he did not think that the report had any real significance with all the witnesses to the shooting. He testified without the autopsy report the outcome would have been the same and he would have stuck with the same strategy. Counsel testified it was his trial strategy not to alienate the jury by having something excluded that did not matter. He testified he also wanted to elicit helpful testimony from the pathology expert. Counsel testified the stippling noted in the autopsy report showed that the Applicant could not have been standing over the victim when he was shot as one witnesses testified.

Counsel testified he discussed the stipulation about the gun with the Applicant before he signed it. He testified he always discusses stipulations with clients because it is the client's case not his. Counsel testified he was aware of George Thomas as a potential character witness. He testified he spoke to all the witnesses before they testified. He testified he went to the Applicant's church to meet the reverend and an elder who the Applicant drove to church to verify issues. Counsel testified he was surprised that Thomas had a prior criminal record, but he did not need to object to something that was explained. He testified a criminal conviction fourteen years prior does not mean the person is a liar and cannot be a good witness. He testified with the Applicant's other character witnesses, Thompson's testimony and prior conviction were not damaging to the defense's case.

Counsel testified he had seen the letter from Gennings, mother to the applicant's child, prior to trial. He testified he tried contacting Gennings prior to trial, but was unable to. Counsel

testified Gennings is the reason for the murder. Counsel testified Gennings also had a child with the victim. The Applicant had spoken to Gennings prior to the night of the killing. Counsel testified Gennings called the victim and told him about the Applicant and the victim got upset. Counsel testified he tried to talk to Gennings at trial, but all she said was that the victim was reformed after his incarceration. He testified he found Gennings to be very hostile. Counsel testified he did not want to call Gennings as a defense witness.

Lastly, Counsel testified that he had surgery to remove a benign tumor that was attached to his skull fifteen years ago. He testified he did not practice law for four and a half months after the surgery to allow his brain to recover. Counsel testified the tumor did not affect his ability to effectively represent the Applicant.

Ineffective Assistance of Counsel

The Applicant alleges he received ineffective assistance of counsel. In a PCR action, “the burden of proof is on the applicant to prove his allegation by a preponderance of the evidence.” Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002).

For the Applicant to be granted PCR as a result of ineffective assistance of counsel, he must show both: (1) that his counsel failed to render reasonably effective assistance under prevailing professional norms, and (2) that he was prejudiced by his counsel’s ineffective performance. See Strickland v. Washington, 466 U.S. 668 (1984), Porter v. State, 368 S.C. 378, 383, 629 S.E.2d 353, 356 (2006). In order to prove prejudice, an applicant must show “there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.” Cherry v. State, 300 S.C. 115, 117-118, 386 S.E.2d 624, 625 (1989). “A reasonable probability is a probability sufficient to undermine confidence in the outcome of

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trial.” Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland v. Washington, 466 U.S. 668).

It is all too tempting for a defendant to second-guess counsel's assistance after conviction or adverse sentence, and it is all too easy for a court, examining counsel's defense after it has proved unsuccessful, to conclude that a particular act or omission of counsel was unreasonable. A fair assessment of attorney performance requires that every effort be made to eliminate the distorting effects of hindsight, to reconstruct the circumstances of counsel's challenged conduct, and to evaluate the conduct from counsel's perspective at the time. Because of the difficulties inherent in making the evaluation, a court must indulge a strong presumption that counsel's conduct falls within the wide range of reasonable professional assistance.

Strickland at 689, 104 S. Ct. at 2065

This Court finds the Applicant's testimony is not credible, while also finding trial counsel's testimony is credible. Regarding the Applicant's claims of ineffective assistance of counsel, this Court finds the Applicant has failed to meet his burden of proof. This Court finds that Applicant's attorney demonstrated the normal degree of skill, knowledge, professional judgment, and representation that are expected of an attorney who practices criminal law in South Carolina. State v. Pendergrass, 270 S.C. 1, 239 S.E.2d 750 (1977); Strickland, 466 U.S. at 668; Butler, 286 S.C. 441, 334 S.E.2d 813. This Court further finds counsel adequately conferred with the Applicant, conducted a proper investigation, and provided thorough representation. This Court finds that counsel's representation did not fall below an objective standard of reasonableness.

Stipulation to the gun as evidence

Applicant alleges Counsel was ineffective for stipulating to the gun as evidence as part of the State's case. This Court finds this issue meritless.

While Applicant alleges Counsel did not consult with him before stipulating to the gun as evidence, Counsel testified to the contrary. Counsel also testified that many eye-witnesses stated

they saw Applicant shoot the victim. Counsel further testified it was fruitless to argue about the gun to the jury as he did not want to alienate the jury over a non-issue.

Where trial counsel articulates a valid reason for employing certain trial strategy, such conduct should not be deemed ineffective assistance of counsel. Caprood v. State, 338 S.C. 103, 525 S.E.2d 514 (2000). “Courts must be wary of second guessing counsel’s trial tactics; and where counsel articulates a valid reason for employing such strategy, such conduct is not ineffective assistance of counsel.” Whitehead v. State, 308 S.C. 119, 417 S.E.2d, 529 (1992).

This Court finds Counsel articulated valid reasons for stipulating to the gun as evidence based on the facts of the case and his professional assessment of the case. This Court agrees with Counsel that it would have discredited his defense of self-defense to argue over who possessed the gun during the incident when many witnesses stated it was the Applicant. This would have certainly alienate the jury and detracted from his valid defense strategy. This Court also notes that Counsel’s strategy of self-defense or voluntary manslaughter was highly effective as Applicant was convicted of the lesser included offense of voluntary manslaughter instead of murder. Therefore, this Court finds Applicant failed to meet his burden of proof as to this argument. Thus, this allegation is denied.

Failure to call witnesses

Applicant also alleges Counsel was ineffective for failure to call certain witnesses on his behalf at trial. Applicant specifically wanted Ms. Gennings and Mr. Thomas to testify on his behalf.

Prejudice from trial counsel’s failure to interview or call witnesses cannot be shown where the witnesses do not testify at post-conviction relief. Underwood v. State, 309 S.C. 560, 425 S.E.2d 20 (1992); Bassette v. Thompson, 915 F.2d 932 (4th Cir. 1990), cert. denied, 499

U.S. 982 (1991). An Applicant must produce the testimony of a favorable witness or otherwise offer the testimony in accordance with the rules of evidence at the PCR hearing in order to establish prejudice from the witness' failure to testify at trial. Bannister v. State, 333 S.C. 298, 509 S.E.2d 807 (1998).

This Court finds Applicant can prove no prejudice for Counsel's failure to call these witnesses on his behalf at trial as these witnesses did not testify at the PCR hearing. Further, Counsel testified he investigated these witnesses and found Ms. Gennings to be hostile. This Court finds Applicant has failed to meet his burden of proof as to this allegation. Thus, this allegation is denied.

Accordingly, this Court finds the Applicant failed to prove the first prong of the Strickland test- that trial counsel failed to render reasonably effective assistance under prevailing professional norms. The Applicant failed to present specific and compelling evidence that trial counsel committed either errors or omissions in their representation of the Applicant. This Court also finds the Applicant has failed to prove the second prong of Strickland- that he was prejudiced by trial counsel's performance. This Court concludes the Applicant has not met his burden of proving counsel failed to render reasonably effective assistance. See Frasier v. State, 351 S.C. at 389, 570 S.E.2d at 174.

All Other Allegations

As to any and all allegations that were raised in the application in this matter and not specifically addressed in this Order, this Court finds Applicant failed to present any evidence regarding such allegations. Accordingly, this Court finds the Applicant abandoned such allegations. Therefore they are hereby denied and dismissed.

CONCLUSION

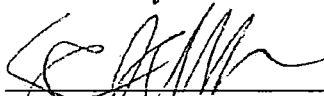
Based on all the forgoing, this Court finds and concludes the Applicant has not established any constitutional violations or deprivations before or during his trial and sentencing proceedings. Counsel was not deficient and the Applicant was not prejudiced by counsel's representation. Therefore, this PCR application must be denied and dismissed with prejudice.

This Court advises the Applicant that he must file a notice of intent to appeal within thirty (30) days from the receipt of this Order if he wants to secure appropriate appellate review. His attention is directed to Rules 203, 206, and 243 of the South Carolina Appellate Court Rules for the appropriate procedures to follow after notice of intent to appeal has been timely filed.

IT IS THEREFORE ORDERED:

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

AND IT IS SO ORDERED this 1 day of July, 2015



Eugene C. Griffith, Jr.
Presiding Judge
9th Judicial Circuit

Rawson, South Carolina.

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DEC 27 2017
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Case No.: 2013-CP-10-6337

Jonta Green, SCDC #340485 Appellant
v.
State of South Carolina Respondent

PROOF OF SERVICE

I certify that I have served APPELLANT'S NOTICE OF APPEAL by delivering a copy via U.S. Mail First-Class postage prepaid on the 19th day of December, 2017, on the following:

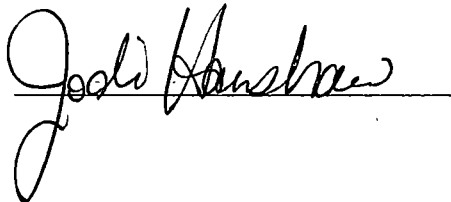
Megan Harrigan Jameson, Esquire
Senior Assistant Deputy Attorney General
SC Office of the Attorney General
PO Box 11549
Columbia, SC 29201

The Honorable Eugene C. Griffith, Jr.
PO Box 375
1226 College Street
Newberry, SC 29108

The Honorable Julie J. Armstrong
Clerk of Court, Ninth Judicial Circuit
100 Broad Street, Suite 106
Charleston, SC 29401

Robert M. Dudek, Esquire
Office of Appellate Defense
PO Box 11433
Columbia, SC 29211-1433

Mr. Jonta Green, SCDC #340485
Kershaw Correctional Institution
4858 Gold Mine Highway
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 **RESNICK & LOUIS, P.C.**
ATTORNEYS AT LAW

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The Honorable Daniel E. Shearhouse
Clerk of South Carolina Supreme Court
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