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LLC
Working on your behalf

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RECEIVED

MAY 15 2018

May 11, 2018

S.C. SUPREME COURT

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

Re.: Kairon Maldonado v. State
2016-CP-46-721

Dear Clerk:

Please find enclosed two copies of the Notice of Appeal and Proof of Service on the above referenced case along with a copy of the Order of Dismissal being appealed. Please file the originals and mail the copies back to me in the also enclosed self-addressed stamped envelope. Please note that I sent a copy of this to Appellate Defense and asked them to handle this matter from here forward. Thank you and please feel free to contact me with any additional questions or concerns.

Sincerely Yours,

Nathan Sheldon
The Law Office of Nathan J. Sheldon

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM YORK COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

RECEIVED

MAY 15 2018

S.C. SUPREME COURT

Case No. 2016-CP-46-721

State of South Carolina,

Respondent,

v.

Kairon B. Maldonado,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Megan Jameson with the Attorney General's Office by depositing a copy of it in the United States Mail, postage prepaid, on May 11, 2018 mailed to Post Office Box 11549, Columbia, South Carolina 29211-1549.

May 11, 2018



Nathan Sheldon
331 E. Main St., Suite 200
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803-909-9343
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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MAY 15 2018

S.C. SUPREME COURT

APPEAL FROM YORK COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr, Circuit Court Judge

Case No. 2016-CP-46-721

State of South Carolina,

Respondent,

v.

Kairon B. Maldonado,

Appellant.

NOTICE OF APPEAL

Kairon B. Maldonado appeals the order of the Honorable J. Cordell Maddox, Jr. dated March 30, 2018 denying his request for post-conviction relief. Appellant received written notice of entry of this order on May 10, 2018.

May 10, 2018



Nathan J. Sheldon
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Megan Jameson, Esquire
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(803) 734-3970

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)
)
KAIRON B. MALDONADO, #354792)
 Plaintiff,)
 vs.)
STATE OF SOUTH CAROLINA)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 SIXTEENTH JUDICIAL CIRCUIT
 CASE NO.: 2016-CP-46-721

**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

FILED-RECEIVED
 2018 APR -4 AM 11:29
 DAVID W. HAMILTON
 C.C.P. & G.S.
 YORK COUNTY, SC

Plaintiff's Attorney: Nathan J. Sheldon, Bar No. _____ Address: Post Office Box 36682 Rock Hill, South Carolina 29732 Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: Justin J. Hunter, Bar No. _____ Address: Post Office Box 11549 Columbia, South Carolina 29211 Phone: _____ Fax _____ E-mail: _____ Other: _____
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input checked="" type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input checked="" type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: _____ Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES / <input checked="" type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input type="checkbox"/> Written motion attached <input checked="" type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
_____ Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant	March 20, 2018 Date submitted
SECTION III: Motion Fee	
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input checked="" type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____
CLERK'S VERIFICATION	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)
)
 Kairon B. Maldonado,)
 S.C.D.C. No. 354792,)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 OF THE SIXTEENTH JUDICIAL CIRCUIT

2016-CP-46-721

ORDER OF DISMISSAL

FILED-RECEIVED
 2018 APR -4 PM 11:25
 DAVID HAMILTON
 C.C.P. & S.
 YORK COUNTY, SC

This matter comes before the Court by way of an Application for Post-Conviction Relief (PCR) filed March 7, 2016. Respondent made its Return on or about August 8, 2016. An evidentiary hearing into the matter was convened on November 8, 2017, at the Moss Justice Center in York, South Carolina. Applicant was present at the hearing and represented by Nathan Sheldon, Esquire. Justin Hunter, Esquire, of the South Carolina Attorney General's Office represented Respondent. At the hearing, Applicant testified on his own behalf. Applicant's trial counsel, Michael Brown, Esquire, and J. Tyler Burns, Esquire, testified. This Court had before it a copy of Applicant's records from the York County Clerk of Court, Applicant's records from the South Carolina Department of Corrections, the trial transcript, Applicant's PCR Application and amendment, and Respondent's Return.

I. PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the York County Clerk of Court. Applicant was indicted at the November 2012 term of the York County Grand Jury for Attempted Murder (2012-GS-46-3888), Attempted Armed Robbery (2012-GS-46-3890), and Criminal Conspiracy (2012-GS-46-3889).

Applicant was represented by Michael Brown, Esquire. Applicant proceeded to a jury trial before the Honorable John C. Hayes, III. On March 20, 2013, he was found guilty of attempted armed robbery and criminal conspiracy and found not guilty of attempted murder. Applicant was sentenced to five years' imprisonment for criminal conspiracy and twenty years' imprisonment for attempted armed robbery.

Applicant timely filed a notice of appeal and an appeal was perfected by Appellate Defender Robert M. Pachak and Rebecca Lindhal, Esquire. The South Carolina Court of Appeals affirmed the convictions and sentences on March 11, 2015. State v. Maldonado, Op. No. 2013-UP-684 (Ct. App. filed March 11, 2015). The Remittitur was issued March 30, 2015.

Allegations

In his application for post-conviction relief and the Amendment filed thereto, Applicant alleges he is being held unlawfully for the following reasons:

1. "Applicant alleges that he was wrongfully convicted by the jury by using inconsistent statements and sham Evidence. Inconsistent statements from co-defendants and misidentification."
2. Ineffective Assistance of Counsel as to Tyler Burns
 - a. Failure to locate alibi witnesses
 - b. Failure to discuss the nature of the charges against Applicant
3. Ineffective Assistance of Counsel as to Michael Brown
 - a. Failure to have investigator pursue alibi witnesses
 - b. Failure to ask for a mistrial during the Solicitor's closing argument
 - c. Failure to effectively cross-examine Romalio Huey
 - d. Failure to properly advise Applicant of his right to testify

III. APPLICABLE LAW

In a post-conviction relief action, the applicant bears the burden of proving the allegations in their application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Where the application alleges ineffective assistance of counsel 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, 334 S.E.2d 813.

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. 668. Applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

Courts use a two-pronged test in evaluating allegations of ineffective assistance of counsel. Id. at 117, 386 S.E.2d at 625. First, the applicant must prove counsel’s performance was deficient. Id. Under this prong, courts measure an attorney’s performance by its “reasonableness under prevailing professional norms.” Id. (citing Strickland, 466 U.S. at 688). Second, any 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.” Id. at 117-18, 386 S.E.2d at 625.

II. SUMMARY OF THE TESTIMONY

Applicant’s Testimony

Applicant testified he was arrested August 2, 2012 and Mr. Burns was appointed to represent him about one month later. He testified Mr. Burns spoke with him briefly about plea agreements. Applicant testified he told Mr. Burns of his alibi, that he was smoking with “Marcus” and “David” at Innisbrook Commons Apartments on the night of the robbery. He testified he told law enforcement about his alibi. He testified he told Mr. Burns to find “Marcus” and “David,” and gave Mr. Burns their names and ages. Applicant testified he received discovery but did not discuss trial strategy with Mr. Burns. Applicant testified Mr. Burns relayed a plea offer of fourteen to twenty-one years’ imprisonment and second plea offer of ten to fourteen

years' imprisonment. Applicant further testified he relieved Mr. Burns as counsel about six to eight weeks prior to trial.

Applicant testified Mr. Brown ultimately represented him after Mr. Burns was relieved. He testified all plea offers were off the table at this time. He testified he spoke with Mr. Brown about his alibi defense that he had been with "Marcus" and "David" at Innisbrook Apartments during the robbery. Applicant testified he provided Mr. Brown with the age and location but was unable to provide their last names. He testified Mr. Brown's investigator was not able to find the witnesses.

Applicant testified he was not sure what Mr. Brown's trial strategy was, but they did discuss his alibi and whether or not Romalio Huey would testify. He testified Mr. Huey ultimately did testify at trial and said he and Applicant conspired at his house prior to the robbery. Applicant testified Mr. Brown could have done better on cross examining Mr. Huey because his testimony was not corroborated. Applicant testified he discussed with Mr. Brown about his ability to testify at trial and that he would be cross-examined about his alibi if he took the stand.

Tyler Burns' Testimony

Mr. Burns testified he was appointed to represent Applicant. He testified Applicant filed a grievance against him, alleging that Mr. Burns made homosexual advances toward Applicant in a crowded lock-up room with cameras. Mr. Burns testified he took the grievance to circuit court and asked to be relieved. Mr. Burns testified he had no recollection of this case. He testified it was his usual practice to get discovery and to hire an investigator. He testified he informed Applicant of the alibi defense. He testified he gave his whole file to Mr. Brown after being relieved.

Mr. Brown's Testimony

Mr. Brown testified when he represented Applicant, no plea offers were extended, although the codefendant was allowed to plead guilty and received less time than Applicant. Mr. Brown testified the victim said he saw Applicant and his codefendant every day, and knew the codefendant was the shooter. Mr. Brown testified his defense strategy was that Applicant was not at the scene of the robbery and the codefendant was a bad witness on the stand. He testified he thought his strategy was successful in combating the State's evidence and the codefendant. He testified the codefendant was the best witness for the defense because he looked so bad on the witness stand that it helped Applicant's case.

Mr. Brown testified he had his full-time private investigator investigate the alibi witnesses. He testified the alibi witnesses came back to a five year old child and seven year old child whose mother said they were not where Applicant was that night. He testified searching for alibi witnesses became a waste of time because his investigator searched all throughout the neighborhood to no avail. Mr. Brown testified he questioned Mr. Huey about Marcus and David.

Mr. Brown testified he discussed Applicant's statement with him, but they were unsuccessful in entering it at trial because the statement was self-serving hearsay. Mr. Brown testified they discussed Applicant's right to testify. He testified the surveillance video and victim's testimony hurt his case and Applicant's alibi could not be corroborated. He testified Applicant ultimately did not want to testify at trial.

IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the testimony presented at the evidentiary hearing, observed the witnesses presented at the hearing, passed upon their credibility, and weighed the testimony accordingly. Further, this Court has reviewed the Clerk of Court records regarding the subject

convictions, the trial transcript, Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief and amendment, and the legal arguments made by the attorneys. Pursuant to S.C. Code Ann. § 17-27-80 (2003), this Court makes the following findings of fact based upon all of the probative evidence presented.

Ineffective Assistance of Counsel as to Tyler Burns

Failure to locate alibi witnesses.

Applicant alleged Mr. Burns was ineffective for failing to locate the alibi witnesses provided to him by Applicant. Applicant alleged Mr. Burns made no effort to locate the alibi witnesses, and this was critical because Applicant was incarcerated the entire time he awaiting trial. Applicant alleged Mr. Burns did not hire an investigator to locate the alibi witnesses and Applicant was unable to present an alibi defense at trial.

This Court finds Applicant has not met his burden of proving Mr. Burns was ineffective for failing to locate the alibi witnesses. Although Mr. Burns testified he did not remember anything about this case, he testified it was his usual practice to hire an investigator. This Court finds Applicant cannot show that he was prejudiced by Mr. Burns' actions because Mr. Burns was ultimately relieved as counsel as a result of Applicant's grievance and Applicant's subsequent counsel did thoroughly investigate the alibi witnesses prior to trial but was unsuccessful in finding anyone based off of the information given to him from Applicant. Applicant cannot show that the result of his trial would have been different had Mr. Burns investigated the alibi witnesses as well. Accordingly, this allegation must be dismissed.

Failure to discuss the nature of the charges

Applicant alleged Mr. Burns was ineffective for failing to discuss the nature of the charges with him. He alleged Mr. Burns only discussed the plea offers and Mr. Burns did not spend any time preparing the case for trial.

This Court finds Applicant has not met his burden of proving Mr. Burns was ineffective for failing to discuss the nature of the charges. Although Mr. Burns testified he had no recollection of the case, he testified it was his usual practice to obtain discovery and he did remember discussing Applicant's alibi defense with him. Applicant testified Mr. Burns discussed plea offers with him but provided no testimony as to what Mr. Burns did or did not discuss regarding his criminal charges. Furthermore, he has failed to show how Mr. Burns' advice or lack of advice concerning his charges affected the outcome of his trial. Accordingly, this allegation must be dismissed.

Ineffective Assistance of Counsel as to Michael Brown

Failure to have investigator pursue alibi witnesses

Applicant alleged Mr. Brown was ineffective for failing to investigate alibi witnesses. Applicant alleged he immediately informed Mr. Brown of his alibi and although Mr. Brown had an investigator assist him in the case, he did not have his investigator pursue the alibi witnesses. Applicant alleged Mr. Brown's failure to find these witnesses impacted his right to testify because Applicant's alibi statement to law enforcement could not be corroborated without these two alibi witnesses.

This Court finds Applicant has failed to meet his burden of proving Mr. Brown was ineffective. This Court finds Mr. Brown provided credible testimony that he sent his full time investigator to investigate "Marcus" and "David" and Applicant acknowledged Mr. Brown's investigator searched for them. Mr. Brown's investigator used the information given from Applicant and searched throughout the neighborhood in question, however the alibi witnesses in question came back to two children whose mother said were not near Applicant the night of the incident. This Court finds Mr. Brown acted reasonably and diligently in pursuing the alibi claim

by having his investigator thoroughly search for the witnesses and his actions were not deficient in this regard.

Even if Applicant was able to prove Mr. Brown's actions were deficient, he has failed to prove resulting prejudice as he has failed to show that the outcome of his trial would have been different. Applicant has not been able to identify exactly who these two witnesses are, and without their presence at the PCR hearing this Court will not speculate as to the exact nature of their potential testimony. Accordingly, this allegation must be dismissed.

Failure to move for a mistrial during the solicitor's closing

Applicant alleged Mr. Brown was ineffective for failing to move for a mistrial during the State's closing where following took place:

SOLICITOR: Ladies and gentlemen of the jury, Mr. Foreman, in big factories there is something called a quality control person. The quality control person makes sure that the product and the end result is correct. And I have a quality control person. It's the defense attorney.

MR. BROWN: Objection. Your Honor, I'm not a quality control person; I don't know what this is about. I'm court appointed.

THE COURT: I sustain the objection. Let's don't refer to him as a quality control person.

Trial Transcript p. 265, l. 18 – 266, l. 3.

Applicant contends these statements are improper and Mr. Brown should have moved for a mistrial. This Court finds this allegation is without merit. A solicitor's closing argument must be carefully tailored so as not to appeal to the personal biases of the jury. Brown v. State, 383 S.C. 506, 515, 680 S.E.2d 909, 914 (2009) (internal citations omitted). A solicitor's "argument must not be calculated to arouse the jurors' passions or prejudices, and its content should stay within the record and reasonable inferences to it." State v. Webb, 389 S.C. 174, 178-79, 697 S.E.2d 662, 664 (Ct. App. 2010) (citing State v. Rudd, 355 S.C. 543, 549, 586 S.E.2d 153, 156

(Ct.App.2003)). The appropriateness of a solicitor's...argument is a matter left to the trial court's sound discretion. Id. (internal citations omitted). "Improper comments do not require reversal if they are not prejudicial to the defendant, and the appellant has the burden of proving he did not receive a fair trial because of the alleged improper argument." Id. (citing Randall v. State, 356 S.C. 639, 642, 591 S.E.2d 608, 610 (2004)). "The relevant question is whether the solicitor's comments so infected the trial with unfairness as to make the resulting conviction a denial of due process." Smith v. State, 375 S.C. 507, 522, 654 S.E.2d 523, 531 (2007).

This Court finds Applicant has failed to show that Mr. Brown was ineffective for failing to ask for a mistrial. This Court finds Mr. Brown's actions were not deficient as he made an objection, the judge sustained the objection, and the solicitor moved on with his argument. This Court finds Applicant was not prejudiced by Mr. Brown's failure to move for a mistrial as it is unlikely that a mistrial would have been granted. The brief comment referring to Mr. Brown as a "quality control person" does not rise to the level of impropriety as to warrant a new trial. This comment did not infect the trial with unfairness as to cast doubt on the reliability of the conviction. As Applicant has failed to show that the outcome of his trial would have been different, this allegation must be dismissed.

Failure to effectively cross-examine Romalio Huey

Applicant alleged Mr. Brown was ineffective for failing to effectively cross-examine the State's witness Romalio Huey. He alleged Mr. Huey implicated Applicant in the crime and Mr. Brown's cross-examination was disjointed and confusing. Applicant further pointed out Mr. Brown asked Mr. Huey questions about the two alibi witnesses but there was no other connection between the testimony and the alibi itself.

This Court finds Applicant has failed to prove Mr. Brown was ineffective in his cross-

examination of Romalio Huey. This Court finds, and the record reflects, that Mr. Brown attacked the victim's credibility with his prior convictions, inconsistencies with his version of events, and the fact that he did not report the robbery even though he was present while it was being planned. Trial Transcript pp. 134-135, 137. Cross-examination is a matter of trial strategy, and as such, this Court must presume that counsel "rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Butler, 286 S.C. at 442, 334 S.E.2d at 814 (citing Strickland, 466 U.S. at 690). In making a fair assessment of attorney performance, a court must make every effort 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." Strickland, 466 U.S. at 689. There is a strong presumption that counsel's conduct falls within the wide range of reasonable professional assistance and the "[applicant] must overcome the presumption that, under the circumstances, the challenged action might be considered sound trial strategy." Id.

This Court finds Mr. Brown's cross-examination was not unreasonable and was not deficient where he was able to attack the witness's credibility and his version of events. This Court will not speculate whether a "better" cross examination would have helped Applicant. See Skeen v. State, 325 S.C. 210, 481 S.E.2d 129 (1997). Furthermore, this Court finds Mr. Brown's questioning of Mr. Huey about Marcus and David was not deficient. Mr. Brown elicited testimony through Mr. Huey that he had a cousin named David and a friend named Marcus. Applicant asserts this questioning was deficient because there was no other connection between the testimony and Applicant's alibi. This Court finds such questioning was not unreasonable as Mr. Brown attempted to elicit supporting testimony from Officer Allen Canteley during the defense's case in chief. See Trial Transcript pp. 212-220. The State objected and Mr. Brown

elicited testimony from Officer Cantey *in camera* that Applicant gave a statement the night of the incident that he had been at the Innisbrook Apartments with Marcus and David during the robbery. After lengthy argument, the trial judge sustained the objection ruling the statement was self-serving hearsay. This Court finds it was not unreasonable for Mr. Brown to question Mr. Huey about Marcus and David, as he could not be clairvoyant in predicting the judge would later keep out the supporting testimony from Officer Cantey.

Furthermore, Applicant has failed to show that the outcome of the trial would have been different had Mr. Brown cross-examined Mr. Huey differently. As Applicant has failed to show how the outcome would have been different, he has failed to show that he was prejudiced by Mr. Brown actions. Accordingly, this allegation must be dismissed.

Failure to properly advise Applicant of his right to testify

Applicant alleged Mr. Brown was ineffective for failing to properly advise him of his right to testify. Applicant alleged he was prevented from asserting his alibi defense without testifying.

This Court finds Applicant has failed to meet his burden of proving Mr. Brown was ineffective for failing to properly advise Applicant of his right to testify. Mr. Brown testified he did discuss with Applicant his right to testify and his statement. He further testified Applicant ultimately made the decision not to testify. Furthermore, Applicant testified he discussed with Mr. Brown about his ability to testify at trial and that he would be cross-examined about his alibi if he took the stand. This Court finds Applicant has failed to provide testimony or evidence showing how Mr. Brown's advice was improper. Applicant has also failed to show the outcome of his trial would have been different had Mr. Brown given different advice. Accordingly, this allegation must be dismissed.

V. CONCLUSION

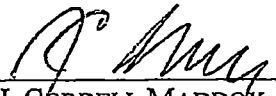
Based on the foregoing facts, the Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application for post-conviction relief. Applicant failed to demonstrate that either counsels' performances were unreasonable under prevailing professional norms. Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625; Stalk v. State, 383 S.C. 559, 563, 681 S.E.2d 592, 594 (2009). Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

The Court notes Applicant must file and serve a notice of appeal within thirty days from PCR counsel's receipt 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, 409 S.E.2d 395 (1991), Applicant has a right to appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRCR, provides that if Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

IT IS THEREFORE ORDERED THAT:

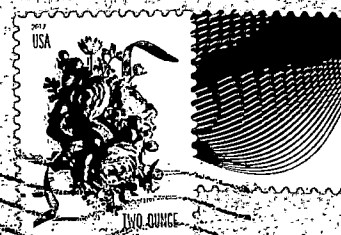
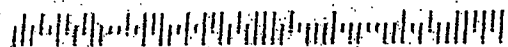
1. The Application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. Applicant shall remain in the custody of the South Carolina Department of Corrections to complete service of his sentence.

AND IT IS SO ORDERED this 30 day of March, 2018.



J. CORDELL MADDOX, JR.
Presiding Judge
Sixteenth Judicial Circuit

Anderson, South Carolina



CHARLOTTE PERDUE INC 297

FRI 11 MAY 2018 PM

The Law Office of Nathan Sheldon
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Daniel E. Shearouse, Clerk
Supreme Court of South Carolina
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