

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF SPARTANBURG )  
 )  
 Ricky Lee Blackwell, #6033 )  
 Applicant, )  
 )  
 vs. )  
 )  
 State of South Carolina, )  
 )  
 Respondent. )

IN THE COURT OF COMMON PLEAS

Case No. 2018-CP-42-00928

~~Proposed~~ Order Appointing Counsel

FILED  
 2018 MAY 2 AM 11:51  
 CLERK OF THE COURT  
 SPARTANBURG COUNTY

This matter is before the court on Applicant Ricky Lee Blackwell's request for the appointment of counsel in this post-conviction relief ("PCR") proceeding. This Court held a hearing on April 16, 2018 to determine Applicant's desire, and qualification, for court appointed counsel. This Court finds Applicant desires counsel, but is indigent. Therefore, the Court appoints Charles Grose and Lindsey S. Vann, pursuant to S.C. Code § 17-27-160, to represent Applicant in these PCR proceedings.

For the purposes of appointment, this Court finds Attorneys Grose and Vann are both qualified to serve as counsel under the qualification requirements set forth in S.C. Code § 17-27-160(B). In support of this finding, the Court make the following findings of fact:

1. Mr. Grose represented John Kennedy Hughey in his capital post-conviction relief case, subsequent appeals, and resentencing to life imprisonment. *Hughey v. State*, Abbeville County Case No. 1996-GS-01-220 and 2000-CP-01-210 and *Hughey v. State*, (S.C.S.Ct. Op. No. 2015-UP-029) (Filed May 13, 2015) *cert. denied South Carolina v. Hughey*, 136 S. Ct. 1659 (2016). In addition to Mr. Hughey's capital post-conviction relief case, Mr. Grose's is currently capital post-conviction relief counsel in *William O. Dickerson, Jr. v. State*, Charleston County Cases Number 2012-CP-10-3216, *Jerry Buck Inman v. State*, Pickens County Case Number 2012-CP-39-00918,

RECEIVED

JUN 06 2018

S.C. SUPREME COURT

and *Stephen Cory Bryant v. State*, Sumter County Case No. 2016-CP-43-828. He is counsel in *Donald Jones v. State*, Lancaster County Case No. 2001-CP-29-1030, a competency to be executed proceeding. Mr. Grose is federal *habeas* counsel in *Stephen Corey Bryant v. Sterling et. al.*, Case No. 9:15-mc-00217-DCN-BM and *Mikal Deen Mahdi v. Sterling, et. al.*, Case No. 8:16-cv-03911-TMC-JDA.

2. Mr. Grose has received significant death penalty training, including but not limited to federal habeas training, through the Annual National Federal *Habeas Corpus* Seminar, (2017, 2015, 2014, 2013, and 2011); NAACP Legal Defense & Educational Fund, Inc.'s Annual Capital Punishment Training Conference, Airlie Conference Center, Warrenton, VA (2012, 2011, and 2005); and Capital Case Initiative, sponsored by South Carolina Commission on Indigent Defense (2013, 2012, 2011, and 2010).<sup>1</sup>

3. Ms. Vann is the Executive Director of Justice 360, a non-profit organization dedicated to representing death-sentenced inmates in South Carolina. Ms. Vann has been appointed by South Carolina courts as PCR counsel for Stephen C. Stanko in Horry County in the circuit court and the South Carolina Supreme Court on appeal, *Stanko v. State*, No. 2014-CP-26-035; *Stanko v. State*, No. 2017-002281, and in Georgetown County, *Stanko v. State*, No. 2008-CP-22-01446, James Nathaniel Bryant, III, *Bryant v. State*, No. 2013-CP-26-6631, Abdiyyah Ben Alkebulanyahh, *Alkebulanyahh v. State*, No. 2014-CP-07-2994, and Richard Moore, *Moore v. State*, No. 2015-CP-42-5040. She has also been appointed in the federal district court for the District of South Carolina

---

<sup>1</sup> Additionally, Mr. Grose is a past chair and current member of the Board of Directors of Justice 360, which was formerly known as the Death Penalty Resource & Defense Center and the Center for Capital Litigation, and was designated by this Court as a Community Defender Organization authorized to provide representation, assistance, information and other matters related to federal death penalty *habeas corpus* cases. See *In re: Amendments to the Plan on the United States District Court for the District of South Carolina for Implementing the Criminal Justice Act*, filed May 25, 2010.

and the Fourth Circuit Court of Appeals to represent multiple death sentenced inmates pursuing federal habeas relief pursuant to 28 U.S.C. § 2254 (Johnny O'Landis Bennett, *Bennett v. Stirling*, No. 2013-CV-03191 (D.S.C.) & No. 16-3 (4th Cir.); Abdiyyah Ben Alkebulanyahh, *Alkebulanyahh v. Byars*, No. 6:13-cv-918-TLW-KFM (D.S.C.) & No. 15-3 (4th Cir.); Richard Bernard Moore, *Moore v. Stirling*, No. 4:14-cv-4691-MGL-TER (D.S.C.); and Anthony Woods, *Woods v. Stirling*, No. 5:18-cv-00144-DCN-KDW (D.S.C.)). Additionally, Ms. Vann has provided investigative, research and consultation services in numerous other capital cases.

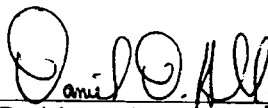
4. Over the past two years, Ms. Vann has completed over thirty hours of South Carolina Bar approved continuing legal education in the field of capital post-conviction defense by attending the National Federal Habeas Corpus Seminar in 2016 and 2017. Ms. Vann has also served as a faculty member and speaker at multiple state and national capital training conferences and has authored several publications designed to assist other attorneys in their representation of clients facing the death penalty in state and federal court.

**IT IS THEREFORE ORDERED THAT:**

Attorneys Charles Grose and Lindsey S. Vann are appointed to represent Applicant in these capital PCR proceedings.

IT IS SO ORDERED.

Date: 4-26-18

  
Daniel D. Hall  
Circuit Judge

2018 MAY -2 AM 11:51  
H. HOPE BLANCHLEY  
COURT  
COUNTY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )  
 )  
Ricky Lee Blackwell, #6033, )  
 )  
Applicant, )  
 )  
vs. )  
 )  
State of South Carolina, )  
 )  
Respondent. )  
\_\_\_\_\_ )

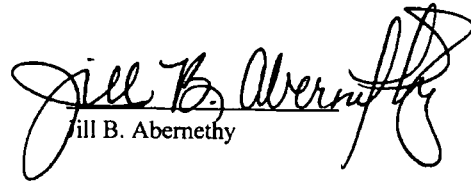
IN THE COURT OF COMMON PLEAS  
SEVENTH JUDICIAL CIRCUIT

Case No. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the Order Appointing Counsel was mailed today by first class United States mail, postage prepaid, this 30<sup>th</sup> day of April 2018, upon the following:

Donald J. Zelenka  
South Carolina Attorney General's Office  
P.O. Box 11549  
Columbia, SC 29211

  
Jill B. Abernethy

RECEIVED  
IN THE COURT  
OF COMMON PLEAS  
SEVENTH JUDICIAL CIRCUIT  
SPARTANBURG COUNTY  
2018 MAY -2 AM 11:51  
M. HOPE BLACNLEY

# Spartanburg County

Spartanburg County Court House  
180 Magnolia Street  
P. O. Box 3483  
Spartanburg, SC 29304-3483

Phone (864) 596-2591  
Fax (864) 596-2239



M. Hope Blackley  
Clerk of Court

May 2, 2018

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF SPARTANBURG

Rickey Lee Blackwell  
Applicant # 6033

7<sup>TH</sup> JUDICIAL CIRCUIT

CASE # 2018-CP-42-928

VS  
State  
Respondent

CERTIFICATE OF SERVICE

I certify that, on this date, I served a copy of the Order Appointing Counsel  
in this action dated 4-11-2018 on 5-2-18

By mailing to him/her, at his/her last known address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

Megan Jamison  
Charles Crose Jr.  
\_\_\_\_\_  
\_\_\_\_\_

5-2-18  
(Date)

Carrie Bay  
(Signature)