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June 12, 2018

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

RECEIVED

JUN 14 2018

S.C. SUPREME COURT

The Honorable Robert J. Harte
Clerk of Court
P.O. Box 583
Aiken, SC 29802-0583

**RE: David Rosier, #141435, v. State of South Carolina
2016-CP-02-2273**

Dear Mr. Shearouse and Mr. Harte:

Enclosed for filing is a Notice of Appeal in the above-referenced case. Also enclosed are the following:

- (1) Proof of Service of the Notice of Appeal;
- (2) A copy of the Order which is to be challenged on appeal; and
- (3) Prior Order of Appointment of Counsel.

As I was appointed to represent Mr. Rosier in his PCR proceeding, I anticipate that the Office of Appellate Defense will represent Mr. Rosier in this appeal.

Yours very truly,



Lance S. Boozer

cc: Julie Coleman, AAG
Office of Appellate Defense
David Rosier, #141435

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

JUN 14 2018

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable R. Scott Sprouse, Circuit Court Judge

Case No. 2016-CP-02-2273

David Rosier, #141435,Petitioner,

v.

State of South Carolina,.....Respondent.

NOTICE OF APPEAL

The Petitioner appeals the Honorable R. Scott Sprouse's Order dated June 1, 2018, denying post-conviction relief to the Petitioner. The Order was received by undersigned counsel on June 11, 2018. A copy of the Order on appeal is attached to this notice.

Respectfully submitted,



Lance S. Boozer
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Tele: 803-608-5543

June 12, 2018

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM AIKEN COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable R. Scott Sprouse, Circuit Court Judge

Case No. 2016-CP-02-2273

David Rosier, #141435,Petitioner,

v.

State of South Carolina,.....Respondent.

PROOF OF SERVICE

I, Lance S. Boozer, appointed attorney for Petitioner, certify that I have today served within Notice of Appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to Assistant Attorney General Julie Coleman, P.O. Box 11549, Columbia, SC 29211. I further certify that all parties required by Rule to be served have been served this 12th day of June, 2018.



Lance S. Boozer
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STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF AIKEN)	SECOND JUDICIAL CIRCUIT
)	
David E. Rosier, Jr., #141435,)	2016-CP-02-02273
)	
Applicant,)	
)	
v.)	ORDER OF DISMISSAL
)	
State of South Carolina,)	
)	
Respondent.)	

This matter comes before the Court by way of a post-conviction relief (PCR) application filed on October 11, 2016. Respondent was served with the application on February 14, 2017, and submitted its Return and Motion for More Definite Statement on December 28, 2017. An evidentiary hearing into the matter was convened on May 7, 2018, at the Aiken County Courthouse. Applicant was present at the hearing and was represented by Lance S. Boozer, Esquire. Respondent was represented by Assistant Attorney General Julie A. Coleman of the South Carolina Attorney General's Office.

At the evidentiary hearing, Applicant testified on his own behalf and presented testimony from Wallis Alves, Esquire ("Trial Counsel"). This Court had before it the records of the Aiken County Clerk of Court regarding the subject convictions, Applicant's records from the South Carolina Department of Corrections, the trial transcript, appellate records, and the pleadings. The Court finds as follows:

I. PROCEDURAL HISTORY

The records before this Court indicate Applicant was indicted at the May 2013 term of the Aiken County Grand Jury for murder and possession of a weapon during the commission of a violent crime. These charges arose from a shooting on November 10, 2012, which resulted in the

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victim's death. Applicant and his son entered the victim's residence around 10:30 P.M. that evening, and following an altercation, Applicant shot the victim in the center of his chest. Applicant proceeded to trial on October 7-10, 2013, before the Honorable Doyet A. Early, III. Applicant was represented by Wallis A. Alves, Esquire, and C. David Hayes, Esquire. Kevin Molony, Esquire, and David W. Miller, Esquire, prosecuted the case. Applicant was found guilty of the lesser included offense of voluntary manslaughter and possession of a weapon during the commission of a violent crime. Judge Early sentenced him to imprisonment for thirty years for the voluntary manslaughter offense and five years for the possession of a weapon offense. The sentences run concurrently.

A timely Notice of Appeal was filed and an appeal was perfected. LaNelle Cantey DuRant, Esquire, of the South Carolina Commission on Indigent Defense, represented Applicant on appeal. By written Order signed on May 1, 2015 and filed June 3, 2015, the South Carolina Court of Appeals affirmed the convictions. State v. David Eugene Rosier, Jr., Up. No. 2015-UP-275. Applicant filed a Petition for Rehearing, which was denied by written Order on August 26, 2015. Applicant subsequently submitted a Petition for Writ of Certiorari to the South Carolina Supreme Court. On February 16, 2016, the Supreme Court of South Carolina issued the Order denying the petition. The Remittitur was issued June 30, 2017.

During the pendency of his direct appeal, Applicant filed this application for post-conviction relief. Because the direct appeal was resolved before the post-conviction relief hearing, the Court of Common Pleas properly had jurisdiction to hear the post-conviction relief action. The evidentiary hearing was held on May 7, 2018. This Order of Dismissal follows.

II. ALLEGATIONS

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

- 1. Violation of Due Process
 - a. "Will explain to my attorney once appointed by the courts."
- 2. Ineffective Assistance of Counsel
- 3. Rule 5 and Brady Violations

Applicant filed an amended application on April 30, 2018, adding the following allegations:

- (a) Counsel failed to properly raise whether the jail phone calls should have been suppressed. See *David Rosier v. State*, Op. No. 2015-UP-275.
- (b) Counsel failed to object to Solicitor's closing argument as violating the "Golden Rule." See *David Rosier v. State*, Op. No. 2015-UP-275.
- (c) Newly discovered evidence exists in the form of testimony from Applicant's former co-defendant and trial witness, Joshua Rosier.
- (d) Applicant believes he observed witness coaching and claims improper actions on the part of the Solicitor.

III. SUMMARY OF RELEVANT TESTIMONY PRESENTED

Applicant's testimony

At the evidentiary hearing, Applicant testified he went to trial for murder and was convicted of the lesser included offense of voluntary manslaughter. He stated he was arrested on November 12, 2012, and Trial Counsel first contacted him the following January. He stated he went to trial less than a year later. Applicant testified he met with Trial Counsel at least six times. He stated he was offered a plea deal for a sentence ranging from two to thirty years, and he rejected the offer. He stated he testified at trial. He stated Trial Counsel made motions for a continuance before his trial, but they were denied, and he is concerned that she was not able to effectively represent him because she was not given enough time to prepare for the trial.

Applicant testified Trial Counsel's motion to suppress the jail phone calls was improperly made, because the South Carolina Court of Appeals found her motion was improper in his direct

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appeal. He stated she should have sought to exclude the phone calls under the Homeland Security Act with the Court of Appeals before the trial rather than with the Circuit Court. Applicant stated Trial Counsel failed to object to the Solicitor's closing argument where he told the jury their decision was "important for the community." Tr. 417. He opined this statement was a Golden Rule violation and Trial Counsel should have specifically objected to it as a Golden Rule violation to preserve it for appeal.

Applicant testified that before his trial, he walked into a room where he witnessed the Solicitor coaching one of their witnesses and telling her what to say. He stated the solicitor was telling witness Autumn Sitton how to testify, but he stated Autumn Sitton did not testify at trial. He stated he mentioned what he saw to Trial Counsel, but there was too much going on before the trial to discuss it. Applicant testified the State would not cooperate with them, and he wishes they could have had all Brady material in a timely manner. He opined that Trial Counsel could have been ready if she had more time to prepare before trial.

Trial Counsel's testimony

Trial Counsel testified the applicant was accused of traveling to the victim's house with his sons Josh and Calvin, as well as two women, Autumn Sitton and Brittany Cook, entering his home, getting into a fight, and shooting and killing the victim. She stated their defense at trial was self-defense and defense of others. She stated Applicant always wanted to testify at trial, and he testified about a struggle over the gun which resulted in the gun going off and shooting the victim on accident. Trial Counsel testified she was given new evidence and information from the State one week before the trial that totally changed their theory of the case, and she moved for a continuance based on her need to re-interview witnesses. She stated she did not feel fully prepared to cross-examine all witnesses before the trial, but the trial court denied her motions for

a continuance. She testified there was one witness they could not find before the trial, but they were able to bring him into court, and after interviewing him, she chose not to call him as a witness based on what his testimony would have been. Although she opined the witness might have been more helpful if there had been more time to meet with him without the pressure of his parents and the police watching, her motion for a continuance was denied.

Trial Counsel testified the solicitor gave her a copy of all the jail phone calls before the trial, and she was able to listen to all of them. She stated she moved to suppress the phone calls based on a violation of the Homeland Security Act. She testified she knew before the trial that she had to raise the issue to the Court of Appeals and she does not know why she did not properly do so. She stated this was a mistake. Trial Counsel testified that if she had properly raised the motion to the Court of Appeals, she would have argued the issue exactly the way she did in her motion to the trial court. She testified that, if she had properly made the motion, the trial would have been stayed until the issue was resolved, and she would have had more time to prepare for trial.

Trial Counsel testified she thought at the time that her objection to the solicitor's closing argument was a valid and proper objection to the statement as a violation of the Golden Rule, but the Court of Appeals found her objection was not specific enough to preserve the issue for appeal. Trial Counsel testified that if Applicant had told her he saw witness coaching before the trial, she would have asked the witness about it at trial and asked the solicitor about it. However, she stated that Autumn Sitton did not testify at trial. Trial Counsel testified that Applicant told her he would be willing to plead to voluntary manslaughter. She stated a plea offer was made, but the offer was not satisfactory, so Applicant rejected it. Trial Counsel testified that the State

complied with Rule 5, and although some of the discovery materials were not turned over until the last minute, she did receive all Rule 5 and Brady materials before the trial.

Trial Counsel testified she moved to suppress and objected to the admission of the jail phone calls, but when the trial judge denied her motion and ruled that they would be admissible, she strategically chose to move all of the phone calls into evidence. She stated she did this because the small portions of conversation that the State wanted to use did not tell the whole story, and she felt she had to put the full calls in to put them in context.

IV. APPLICABLE LAW

In a post-conviction relief action, the applicant has the burden of proving the allegations in the application. Rule 71.1(e), SCRPC; Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). 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, (1984); Butler, 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, 286 S.C. 441, 334 S.E.2d 813 (1985). The applicant must overcome this presumption 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. First, the Applicant must prove that counsel's performance was deficient. Under this prong, 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. With respect to guilty pleas, the Applicant must show that there is a reasonable probability that, but for counsel's alleged errors, he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 106 S.Ct. 366 (1985).

V. 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 facts and conclusions of law as required pursuant to S.C. Code Ann. §17-27-80 (1985).

INEFFECTIVE ASSISTANCE OF COUNSEL

Applicant has asserted several allegations of ineffective assistance of counsel. This Court finds these claims to be meritless and they should be denied and dismissed with prejudice. After considering the testimony, judging the credibility of the witnesses, and reviewing the materials presented to the court, this Court finds Applicant has failed to meet his burden of proof. Accordingly, post-conviction relief is denied. Each individual allegation is addressed below.

Failure to properly move to suppress jail phone calls

Applicant alleges Trial Counsel was ineffective for failing to properly move to suppress the jail phone calls introduced at trial. At trial, the State sought to introduce several small snippets of recordings of jail phone calls between Applicant and his son and co-defendant,

Joshua Rosier. The phone calls were probative of Applicant's plan to go to the victim's house when he was released from jail and fight the victim and others who they believed had wronged them. Trial Counsel made a pre-trial motion to suppress the phone calls as a violation of the South Carolina Homeland Security Act. Tr. 33. She explained to the trial court that under the statute the motion was required to be heard by a panel of judges on the South Carolina Court of Appeals. Tr. 33. Trial Counsel submitted a memorandum over the motion and requested a continuance for the purpose of submitting her motion to the Court of Appeals before the trial. The trial judge denied her motion for continuance. Tr. 37. Trial Counsel then argued the merits of her motion to suppress the phone calls to the trial court, arguing that the recordings were a violation of the South Carolina Homeland Security Act, S.C. Code Ann. Section 17-30-10. Tr. 42-58. The trial court denied the motion to suppress. Tr. 60.

On direct appeal, Applicant argued the trial court erred in denying the motion to suppress or in failing to grant a continuance in order to make the motion before the Court of Appeals panel, as required by the statute. The Court of Appeals held that the trial court did not have jurisdiction to determine whether the calls should be suppressed under the Homeland Security Act, and its ruling denying the motion was therefore void. State v. David Eugene Rosier, Jr., Up. No. 2015-UP-275. However, the Court of Appeals found that Applicant waived his opportunity to seek a determination on this issue by failing to make the motion properly under the statute to the Court of Appeals. Id. The Court of Appeals confirmed Applicant's conviction.

Applicant now claims that he was denied effective assistance of counsel because of Trial Counsel's failure to properly present the motion to the Court of Appeals before his trial, rather than waiting until the day of trial to raise the issue to the trial judge. This Court disagrees and finds Trial Counsel's error did not result in ineffective assistance of counsel where there is no

prejudice under the second prong of the Strickland test. “[A] court need not first determine whether counsel’s performance was deficient before examining the prejudice suffered by the defendant as a result of the alleged deficiencies... If it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, ...that course should be followed.” Strickland, 466 U.S. at 697.

To succeed in proving ineffective assistance of counsel, Applicant must prove that Trial Counsel’s error would have changed the outcome of the trial. An error by counsel, even if professionally unreasonable, does not warrant setting aside the judgment of a criminal proceeding if the error had no effect on the judgment. See United States v. Morrison, 449 U.S. 361, 364–365 (1981). To prove prejudice in this situation, Applicant must show that the motion to suppress would have been successful if Trial Counsel had properly raised it to the appropriate panel of Court of Appeals judges, as required by the Homeland Security Act, and that the suppression of these jail telephone calls would have changed the jury’s verdict. This Court finds Applicant cannot prove prejudice because the motion to suppress the phone calls likely would not have been successful if properly raised.

At the evidentiary hearing, Trial Counsel testified that, if she had properly made the motion to the Court of Appeals panel, she would have made the exact argument she presented to the trial court in the trial transcript. Trial Counsel’s argument in encompassed through page 42 to page 58 of the trial transcript. She argued that the recording of the jail phone calls was a violation of the Homeland Security Act, which requires that any interception of wire communications which is an oral transfer—such as a telephone call—must be made in conjunction with the Act, and here it was not. Tr. 42. Trial Counsel further argued Applicant was incarcerated at the time he made the telephone calls and had no other option to communicate

with family members but to use the telephones that were tapped by the government, and therefore his use of the phones does not imply voluntary consent to the recording. Tr. 43.

In response to the argument presented at trial, the State, through Deputy Solicitor David Miller, argued the South Carolina Homeland Security Act does not apply to jail phone call tapes because it is telephone equipment used in the ordinary course of business, which is excluded from the Act, and that even if it did apply, Applicant consented to the recording by choosing to place the telephone call despite his other alternatives and despite the recorded warning that his call would be recorded at the beginning of each phone call. The State's argument was made from page 48 to page 55 of the trial transcript. The State referenced South Carolina case law holding prisoners had a greatly diminished expectation of privacy, and argued that the purpose of the Act is to prevent the recording of a person's activity without their knowledge, which is clearly not the case here where Applicant knew his call was being recorded and chose to proceed.

This Court finds the motion to suppress would not have been successful if presented to the Court of Appeals panel as required by the statute because Applicant consented to the recording of his phone call and understood the call would be recorded and monitored. Applicant received a recorded message before each phone call warning him that his call would be monitored and recorded. Knowing that he had no expectation of privacy in each phone call, he chose to proceed with the calls despite his other alternatives, such as writing letters or visiting with his family in person. Accordingly, this Court finds the motion to suppress the phone calls would have been denied on at least this basis, and possibly others. Accordingly, because the motion would not have been successful if properly made, Applicant cannot prove any resulting prejudice from Trial Counsel's failure to properly raise the issue before the trial. Because Applicant has failed to prove both prongs of the Strickland test, this allegation is denied and

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dismissed with prejudice.

Failure to properly object to Golden Rule violation

Applicant alleges Trial Counsel was ineffective for failing to properly object to the solicitor's statement in closing argument that the jury's decision was "important for the community" as a Golden Rule violation. This allegation is meritless, as this statement is not a violation of the Golden Rule. Furthermore, Trial Counsel did object to the statement, although it was not specifically phrased as a Golden Rule violation, and in response to her objection, the solicitor changed his closing argument. Tr. 417, line 2-12. Accordingly, there is no prejudice, because the objection she made was successful.

"A solicitor's closing argument must be carefully tailored so as not to appeal to the personal biases of the jury." Von Dohlen v. State, 360 S.C. 598, 609, 602 S.E.2d 738, 744 (2004). "The argument must not be calculated to arouse the jurors' passions or prejudices, and its content should stay within the record and reasonable inferences that may be drawn therefrom." Id. at 609-10, 602 S.E.2d at 744. "A Golden Rule argument asking the jurors to place themselves in the victim's shoes tends to completely destroy all sense of impartiality of the jurors, and its effect is to arouse passion and prejudice." State v. Reese, 370 S.C. 31, 38, 633 S.E.2d 898, 901 (2006). "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." Brown v. State, 383 S.C. 506, 516, 680 S.E.2d 909, 915 (2009).

In the present case, the solicitor never asked the jurors to place themselves in the victim's shoes to arouse their passion and prejudice. The solicitor simply informed them that their decision was important to the family and friends of the victim, for the defendant, and for the community in which they live. The argument did not destroy their impartiality, but simply asked

the jurors to take their duty and responsibility as jury members very seriously because of its impact on everyone involved with the case. Accordingly, this Court finds this statement was not an improper Golden Rule argument and was not objectionable as such. Therefore, Trial Counsel is not deficient for failing to frame her objection as a Golden Rule violation, and there is no resulting prejudice from her failure to do so. Applicant has failed to meet either prong of the Strickland test, and this allegation is denied and dismissed with prejudice.

NEWLY DISCOVERED EVIDENCE

Applicant alleged in his amended application that newly discovered evidence existed in the form of testimony from Applicant's son and former co-defendant, Joshua Rosier. Although Joshua Rosier was transported to the evidentiary hearing and was available to testify, Applicant chose not to present his testimony at the hearing. Accordingly, this Court finds Applicant failed to present any evidence on this claim and this allegation is deemed abandoned, and is denied and dismissed.

PROSECUTORIAL MISCONDUCT

Applicant alleges prosecutorial misconduct in the form of witness coaching. It is Applicant's burden to prove actual prosecutorial misconduct. Alabama v. Smith, 490 U.S. 794, 109 S. Ct. 2201 (1989). Applicant testified at the evidentiary hearing that he observed the solicitor telling witness Autumn Sitton how to testify before the trial. He stated he told Trial Counsel what he saw, but there was no time to do anything about it before the trial. Trial Counsel testified she did not recall him telling her about witness coaching, but if he had, she would have asked the solicitor about it and cross-examined the witness about it at trial. This Court finds Applicant's testimony about this subject incredible. Applicant has failed to present any credible evidence that any witness coaching occurred. Furthermore, even if Autumn Sitton had been

coached regarding her testimony, it had no effect on Applicant's trial because Autumn Sitton did not testify at trial. Applicant has failed to meet his burden of proving prosecutorial misconduct in any form, and this allegation is denied and dismissed with prejudice.

VI. CONCLUSION

Based on all 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.

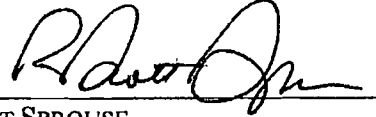
This Court notes that Applicant must file and serve a notice of appeal within thirty days from the receipt by counsel of written notice of entry of judgment to secure the appropriate appellate review. See Rule 203, SCACR. Pursuant to Austin v. State, 305 S.C. 453 (1991), an Applicant has a right to an appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRPC, provides that if the applicant wishes to seek appellate review, post-conviction relief counsel must serve and file a Notice of Appeal on the Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

[signature page to follow]

IT IS THEREFORE ORDERED:

1. That the application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. Applicant must be remanded to the custody of Respondent.

AND IT IS SO ORDERED this 1 day of June, 2018.



R. SCOTT SPROUSE
Presiding Judge
Second Judicial Circuit

Walhalla, South Carolina

STATE OF SOUTH CAROLINA) COUNTY OF AIKEN) David E Rosier Jr,) Plaintiff(s),) -vs-) South Carolina State Of,) Defendant(s).)	IN THE COURT OF COMMON PLEAS 2nd JUDICIAL CIRCUIT CASE NO.: 2016CP0202273 APPOINTMENT OF COUNSEL OR GAL (Select one.) <input checked="" type="checkbox"/> ORDER <input type="checkbox"/> AMENDED ORDER
--	--

TYPE OF CASE/PROCEEDING: (Check one.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Post-Conviction Relief (PCR)/habeas case | <input type="checkbox"/> Adoption | <input type="checkbox"/> Juvenile |
| <input type="checkbox"/> SVP case | <input type="checkbox"/> Custody and/or Visitation | <input type="checkbox"/> Abuse and Neglect |
| <input type="checkbox"/> Minor Name Change | <input type="checkbox"/> Other: Post Convict Rel 500 | |

It appears David E Rosier Jr, who is a litigant in this case, is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- counsel/guardian ad litem has not yet been appointed by the court; therefore, an appointment for counsel/guardian ad litem is necessary.
- counsel or a guardian ad litem was previously appointed by the court but has indicated either a possible conflict of interest, an entitlement to exemption, or other good cause warranting the appointment of new counsel or guardian ad litem based on:
- counsel was previously appointed by the court but has not indicated that the litigant has retained private counsel and is no longer entitled to appointed counsel.
- court appointed counsel has obtained , Esquire as substitute counsel pursuant to Rule 608(h)(2); provided, however, only the member who originally received the appointment and who sought substitute counsel shall receive credit.
- Other:

Therefore, it is ordered that hereby is appointed as (Select one.)

Counsel lead counsel (if capital PCR case) guardian ad litem
 for the above-named person. Any counsel or GAL previously appointed is/are hereby relieved.

(If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital PCR case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED
 November 14, 2017

Circuit Judge Clerk of Court

Plaintiff Attorney:

Lance S Boozer	David E Rosier, Jr. #141435
1400 Laurel Street Suite 4-A	PCI
Columbia, SC 29201	430 Oaklawn Road
	Pelzer, SC 29669

Defendant Attorney:

Julie Amanda Coleman	
PO Box 11549	
Columbia, SC 29211	

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

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Clerk, Supreme Court of South Carolina
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