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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County
Court of Common Pleas

The Honorable Daniel D. Hall, Circuit Court Judge

Appellate Case No. 2015-001459

TRAVELL LEVONE HILL,

Respondent/Petitioner,

v.

STATE OF SOUTH CAROLINA,

Petitioner/Respondent.

BRIEF OF RESPONDENT FOR PETITIONER/RESPONDENT

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PETITIONER/RESPONDENT'S STATEMENT OF ISSUE

Did the post-conviction relief err in finding Hill failed to meet his burden of proving trial counsel's performance was deficient because he did not adequately cross-examine Tyra Rogers, his co-defendant, about the potential sentence she faced?

STATEMENT OF THE CASE

Respondent/Petitioner (hereinafter "Hill") is confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Greenville County Clerk of Court. During the October 2008 term, the Greenville County Grand Jury indicted Hill for trafficking cocaine in an amount greater than 400 grams (2008-GS-23-6996). (App.pp.316-18). Christopher T. Posey, Esquire represented Hill. On March 30, 2010, Hill proceeded to trial before the Honorable G. Edward Welmaker and a jury and was found guilty. On March 31, 2010, Judge Welmaker sentenced Hill to twenty-seven years imprisonment. (App.p.181; p.315).

A notice of appeal was filed and Appellate Defender Kathrine H. Hudgins, Esquire of the South Carolina Commission on Indigent Defense, Division of Appellate Defense perfected the appeal. (App.pp.183-97). On appeal, Hill argued two issues. First, was the officer's suspicion that he was engaged in serious criminal activity reasonable so as to warrant a continued detention after the issuance of a warning for the traffic stop under the Fourth Amendment. Second, did the trial judge err in finding that appellant lacked standing to challenge the unlawful search and seizure of the rental car he was driving. The Court of Appeals affirmed Hill's conviction and sentence. State v. Hill, Op. No. 2013-UP-198 (S.C. Ct. App. filed May 15, 2013). (App.pp.235-36). The Court of Appeals noted the issue was not preserved for review as a ruling in limine is not final unless an objection is made at the time the evidence is offered and a final ruling procured. The remittitur was sent on June 4, 2013.

Hill filed an application for post-conviction relief (PCR) on January 9, 2014 (2014-CP-23-0129) and later submitted an amended application signed by Hill on February 13, 2015. (App.pp.237-43; pp.249-56). Petitioner/Respondent (hereinafter "the State") made its return on May 28, 2014, requesting an evidentiary hearing be convened. An evidentiary hearing was held

on February 18, 2015, at the Greenville County Courthouse before the Honorable Daniel D. Hall. Hill was present and represented by C. Rauch Wise, Esquire. Karen C. Ratigan, Esquire of the South Carolina Attorney General's Office represented the State. Hill testified on his own behalf. Hill's trial counsel also testified. Following the evidentiary hearing, Judge Hall granted Hill's post-conviction relief on the single issue that trial counsel was ineffective for failing to object to the inclusion of the cocaine at trial and this failure prejudiced Hill as the Court of Appeals could not review this issue on appeal as it was not preserved. Judge Hill ordered a new trial by written order filed March 19, 2015. (App.pp.288-98). After each party filed post-trial motions pursuant to Rule 59(e), SCRCP, Judge Hall filed a supplemental order on June 8, 2015 in which he denied relief on all other issues raised at the PCR hearing. (App.pp.299-301; pp.302-05; pp.306-08; pp.309-14).

The State filed a timely notice of appeal. On July 6, 2015, Hill also filed a cross appeal. On December 4, 2015, The State filed his petition for writ of certiorari. On January 19, 2016, Hill filed his return to the petition for writ of certiorari. On February 2, 2016. Hill filed his petitioner for writ of certiorari pursuant to his cross appeal. The State filed a return to Hill's petition for writ of certiorari on May 18, 2016. On November 15, 2017, this Court granted certiorari. This brief of Respondent for Petitioner/Respondent follows.

Statement of Facts

Around 3:50 p.m. on February 19, 2008, Trooper Shannon Chasteen, a member of the South Carolina Highway Patrol's Aggressive Criminal Enforcement Unit, was patrolling Interstate 85 in Greenville County when he observed a burgundy Ford Expedition following another vehicle at an unreasonably close distance. (App.pp.33-35; pp. 56-58). In response, Trooper Chasteen immediately moved to initiate a traffic stop. (App.pp.35-36; p.58). When he

did so, the driver of the Expedition rapidly shifted to the left lane and slowed his vehicle down to a speed well below the posted speed limit. (App.pp.35-36; pp.58-59). Trooper Chasteen then caught up to the Expedition and activated his blue lights, and the driver of the vehicle pulled over and stopped in an emergency lane on the side of the highway. (App.p.36; pp.59-60).

After stopping the Expedition, Trooper Chasteen approached from the passenger side and looked into the vehicle. (App.p.37; p.41; pp.60-63). Inside, he observed two occupants, numerous large energy drinks and fast food containers, and a single small shopping bag, but he did not see any luggage. (App.pp.36-38; p.41; pp.60-63). He then greeted the driver of the vehicle, Hill, and the passenger, Tyra Rodgers, and noticed both Hill and Rodgers seemed extremely nervous. (App.p.38; pp. 61-62; pp.113-114). Trooper Chasteen noted Hill seemed to be "almost in a state of panic" and was repeatedly fidgeting in his seat like he could not remain still, his hands were visibly and noticeably shaking, and he appeared to be attempting to avoid making eye contact with the officer. (App.p.38; p.62). The officer also noticed Rodgers was holding her head like she was sick or had a headache, she would not make eye contact with him, and she had a visibly accelerated heart rate. (App.p.38; p.62). Trooper Chasteen then advised Hill of the reason for the stop, told him he would be receiving a warning citation, and asked for his driver's license and vehicle registration. (App.p.37; pp.41-42; p.61). Thereafter, Hill provided the officer with a driver's license and a rental agreement instead of a registration, but he continued to behave in an increasingly nervous manner even though he had been advised he would only be receiving a warning ticket, which Trooper Chasteen believed was unusual. (App.p.37; p.42; p.61). Trooper Chasteen then asked Hill to step out of the vehicle and returned to his patrol car to review Hill's documents. (App.p.39; p.63).

Upon reviewing the information, Trooper Chasteen discovered the vehicle was rented at the Norfolk International Airport in Virginia by Lenise Martin, who was the only authorized driver identified in the rental agreement, on February 12, 2008, and was due to be returned on February 17, 2008, which was two days earlier. (App.pp.39-40; pp.44-45; pp.63-65). Based on Hill's drastic lane change prior to the stop, the nervousness displayed by the occupants of the vehicle, and the fact the vehicle was rented by a third party, Trooper Chasteen became suspicious something unlawful might be occurring and requested assistance from his partner, Trooper Brad Dowis. (App.p.39; pp.43-44; p.66).

After asking Trooper Dowis report to the scene, Trooper Chasteen inquired of Hill as to who rented the vehicle, and Hill stated Rodgers did. (App.p.40; pp.66-67). The officer then asked Hill who was responsible for the property in the vehicle, and Hill stated Rodgers was. (App.p.42). In response, Trooper Chasteen returned to the rental vehicle, requested Rodgers' information, and discovered she did not actually rent the vehicle. (App.p.40; pp.66-67). He then spoke with Rodgers about the purpose of their trip, and she claimed they went to Atlanta to purchase shoes and visit her family. (App.p.40; p.67). After speaking with Rodgers, the officer returned to his patrol vehicle and began writing the warning citation. (App.p.40; p.67). While he did so, Hill continued to exhibit nervous behavior, repeatedly crossed and uncrossed his arms, constantly moved and looked around, exhibited a visibly accelerated heart rate, and would not make eye contact with the officer. (App.p.42; pp.67-69). While Trooper Chasteen prepared the warning citation, he asked Hill about the purpose of their trip, and Hill claimed they went to Atlanta on the previous day to party and to visit one of his friends. (App.p.43; pp.67-68). Hill further claimed they slept in the vehicle and did not rent a hotel room. (App.p.43; p.68). Once again, Trooper Chasteen returned the rental vehicle, checked the vehicle's identification number,

and spoke with Rodgers, who the officer noted was still behaving in a nervous manner. (App.p.43; p.69). Upon speaking with her again, Rodgers claimed they shopped while in Atlanta but could not name a single store they visited. (App.p.40; p.43; p.69). She further claimed they stayed with her cousin and did not do anything else on the trip. (App.p.40; p.43; p.69).

After he finished speaking with Rodgers and approximately twelve minutes into the stop, Trooper Chasteen returned to his patrol car, completed the warning citation, and presented it to Hill. (App.p.70). Immediately after issuing the warning citation, Trooper Chasteen asked Hill for permission to search the vehicle, but Hill refused. (App.p.70). Meanwhile, approximately five minutes after Trooper Chasteen contacted Trooper Dowis for assistance, Trooper Dowis arrived at the scene with his drug detection dog, Chloe, who was trained to detect marijuana, cocaine, methamphetamines, and heroin. (App.p.70; pp.89-90; pp.94-95). After Hill denied Trooper Chasteen's request for consent to search, Trooper Chasteen had Rodgers step out of the vehicle so Chloe could perform a sniff search of the vehicle. (App.pp.70-71; p.96). Chloe conducted a brief sniff search and immediately alerted on the front passenger side of the vehicle. (App.p.71; p.96). Trooper Dowis then secured Chloe in his patrol vehicle and watched over Hill and Rodgers while Trooper Chasteen conducted a search of the vehicle based on Chloe's alert. (App.pp.71-72; p.97). Several minutes later, another officer arrived at the scene, and Trooper Dowis joined in the search. (App,p.73; p.97). He went to the area where Chloe alerted, immediately noticed a bulge underneath the carpet on the front passenger side of the vehicle, pulled the carpet back, and found a rectangular package of cocaine and a plastic bag of cocaine. (App.pp.73-75; pp.97-98). Thereafter, Trooper Chasteen arrested Hill and Rodgers. (App.pp.73-74; p.77).

Following his arrest, Hill was indicted for trafficking in cocaine, and he proceeded to trial. (App.p.10; pp.183-184). At the outset of trial, Hill moved to suppress the narcotics discovered during the traffic stop based on the alleged unconstitutionality of the search in which they were discovered. (App.p.5). In support of the motion, defense counsel argued the officer did not develop a reasonable articulable suspicion of criminal activity during the traffic stop, the stop ended when Hill was given a warning ticket, and Hill should not have been asked for consent to search because the vehicle was not rented in his name. (App.p.6). In response, the State initially asserted Hill did not have standing to challenge the search because he was not authorized to drive the vehicle.(App.p.7). Furthermore, the State argued the officer developed a reasonable articulable suspicion of criminal activity during the course of the stop, which warranted Hill's detention and the use of the drug detection dog for the sniff search on the vehicle. (App.pp.7-8; pp.32-33). The trial judge then conducted an in camera hearing on Hill's suppression motion, and Trooper Chasteen detailed the circumstances of the traffic stop during the hearing.[1] (App.pp.34-47).

At the conclusion of the hearing, the trial judge concluded Hill did not have standing to challenge the search. (App.p.49). Furthermore, the trial judge determined Hill's detention was justified under the totality of the circumstances because he found the factors observed by the officer during the traffic stop established a reasonable articulable suspicion of criminal activity. (App.pp.50-51). Based on those findings, the trial judge denied Hill's suppression motion. (App.p.51).

Subsequently, during trial, Trooper Chasteen and Trooper Dowis testified about the circumstances of the traffic stop and their discovery of Hill's cocaine. (App.pp.58-75; pp.94-98).

[1] During his testimony, he noted Interstate 85 was a well-known drug corridor and Atlanta was a source city for drugs. (R. p. 44).

Following their testimony, Rodgers testified about traffic stop and the events leading up to it. (App.p.100). Rodgers stated Hill asked her if she wanted to leave Norfolk, Virginia, and go shopping in Atlanta on February 18, 2008, and suggested they begin the trip around midnight or 2:00 a.m. on the morning of February 19, 2008, in the rental vehicle she was driving at the time. (App.pp.100-102). Rodgers indicated she then met with Hill at his residence at the agreed-upon time and followed behind him as he drove to another residence to drop off his car. (App. pp.103-104). After arriving at the other residence, Rodgers testified Hill went inside, came out with "two knots," which was a substantial quantity of money, and then began driving the rental vehicle to Atlanta. (App.pp.103-104). Rodgers stated she slept for the majority of the drive to Atlanta, which lasted approximately eight to nine hours, and they went directly to a mall when they arrived between 10:00 a.m. and 12:00 p.m. (App.pp.104-106). After they arrived, Rodgers testified Hill borrowed her phone to arrange a drug purchase and told her they were going to purchase some drugs. (App.pp.106-107). Rodgers claimed she protested and they went into the mall to purchase shoes. (App.pp.107-108). Rodgers stated Hill then met with his cousins at the mall and left her for several hours. (App. pp.107-110). While Hill was gone, Rodgers indicated the person who rented the rental vehicle called her and told her to immediately return the vehicle. (App.p.109). Rodgers claimed she then met back up with Hill, told him the rental vehicle had to be returned, and ate at the mall before returning to the rental vehicle. (App.pp.109-111). When she returned to the vehicle, Rodgers stated there was a new pair of shoes inside. (App. p.111). Rodgers testified Hill then drove them back, she developed a migraine headache, they were stopped by the law enforcement officer, and they both were arrested after the vehicle was searched during the stop. (App.pp.112-115).

Thereafter, James Armstrong, a forensic drug chemist with the Greenville County Department of Public Safety and a drug identification expert, testified he analyzed the drugs discovered during the traffic stop. (App. p.127; p.131). Armstrong testified his analysis revealed the items recovered during the stop were a block of cocaine weighing 971.81 grams and three bags of cocaine weighing 215.98 grams. (App.p.132). The solicitor then moved to introduce the cocaine into evidence. (App.p.3; pp.133-134). In response, defense counsel asserted: "No objection." (App.p.134). The trial judge then admitted the drugs into evidence without objection. (App. p.134).

At the conclusion of trial, the jury convicted Hill of trafficking in cocaine. (App.pp.177-178). Defense counsel then moved for a judgment notwithstanding the verdict and for a new trial but did not provide any grounds in support of the motions. (App.p.179). The trial judge then sentenced Hill to a term of imprisonment of twenty-seven years. (App.p.181).

STANDARD OF REVIEW

The standard of review in post-conviction relief (PCR) cases depends on the specific issue before the reviewing court. It will defer to a PCR court's findings of fact and will uphold them if there is evidence in the record to support them; but will review questions of law de novo, with no deference to trial courts. Smalls v. State, 422 S.C. 174, 810 S.E.2d 836 (2018).

In a PCR proceeding, the petitioner bears the burden of proving the allegations in his or her 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 "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. at 441, 334 S.E.2d at 814.

The proper measure of performance is whether an attorney provided representation within the range of competence required in criminal cases. Courts presume counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. at 689. An applicant must overcome this presumption in order to receive relief. Cherry, 300 S.C. at 118, 386 S.E.2d at 625.

The reviewing court applies a two-pronged test in evaluating allegations of ineffective assistance of counsel, and both prongs must be established by an applicant to receive relief. Strickland, 466 U.S. at 687. First, an applicant must prove that counsel's performance was deficient. Under this prong, the court measures an attorney's performance by its "reasonableness under professional norms." Cherry, 300 S.C. at 117, 386 S.E.2d at 625, citing Strickland, at 688. 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. The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. 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. 668.

ARGUMENT

The PCR relief judge did not err in finding Hill failed to meet his burden of proving trial counsel's performance was deficient because he did not adequately cross-examine Tyra Rogers, his co-defendant, about the potential sentence she faced.

Hill argues trial counsel was ineffective because he did not attempt to impeach Rogers, his co-defendant with her knowledge of the potential sentence she could receive. This allegation is without merit.

This Court addressed the issue of defense counsel's cross-examination of a State's witnesses in State v. Gracely and held that the trial court's error in improperly limiting scope of defense counsel's cross-examination of state's witnesses, in violation of Confrontation Clause, was not harmless. State v. Gracely 399 S.C. 363, 731 S.E. 2d 880 (2012). The Court noted in Gracely the Confrontation Clause provides "in all criminal prosecutions, the accused shall enjoy the right to ... be confronted with the witnesses against him." U.S. Const. amend. VI. The Confrontation Clause guarantees a defendant the opportunity to cross-examine a witness concerning bias. State v. Clark, 315 S.C. 478, 481, 445 S.E.2d 633, 634 (1994) (citing State v. Brown, 303 S.C. 169, 171, 399 S.E.2d 593, 594 (1991)). A defendant demonstrates a Confrontation Clause violation when he is prohibited from "engaging in otherwise appropriate cross-examination designed to show a prototypical form of bias ... from which jurors ... could draw inferences relating to the reliability of the witness." State v. Stokes, 381 S.C. 390, 401–02, 673 S.E.2d 434, 439 (2009) (citing Delaware v. Van Arsdall, 475 U.S. 673, 680, 106 S.Ct. 1431, 89 L.Ed.2d 674 (1986)) (alteration in original).

At the PCR hearing, Hill argued trial counsel was ineffective because "he failed to bring up the potential sentence that Tyra Rogers, his co-defendant, was facing and the pending charges

that she was facing too." (App.p.266).

Trial counsel testified Rogers was originally going to be tried with Hill but that she instead became a State's witness a few days before trial. (App.pp.274-75). Trial counsel testified he did not ask Rogers about the possible sentence she could receive because he knew the trial judge was not receptive to those types of questions. Trial counsel testified "that was kind of knowing your judge and knowing not what questions he was going to allow you to ask." (App.pp.276-77). Trial counsel testified that, while he was aware he could have questioned Rogers about her potential sentence, he said "that was the knowing your judge type situation," as he had seen this particular trial judge halt these types of questions before. (App.pp.279-80).

In denying Hill's application for post-conviction relief, the PCR judge found Hill "failed to meet his burden of proving trial counsel did not adequately cross-examine Tyra Rogers." The PCR judge found trial counsel "made a strategic decision not to ask Rogers about the potential sentence she faced." (App.pp.311-12).

The PCR judge did not err in finding Hill failed to meet his burden of proving trial counsel should have cross-examined Rogers about the possible sentence she could have received. Hill was driving a vehicle and Rogers was in the front passenger seat when police initiated a traffic stop. (App.pp.58-62). Police found more than one thousand one hundred and eighty-seven grams of cocaine under the floor on the front passenger side of the vehicle. (App.p.73; pp.96-98; p.132). Rogers testified Hill suggested they drive from Virginia to Georgia in a vehicle that had been rented for her. (App.pp.102-03). Once police found the cocaine in the vehicle, Rogers stated she and Hill were both arrested. (App.p.115). Trial counsel extensively questioned Rogers on cross-examination about the leniency she expected to receive from the State on her pending trafficking charge since she was not being jointly tried with Hill.

(App.pp.117-27). Specifically, the following exchange took place between Trial Counsel and Rodgers.

> Trial Counsel: Okay. You said you were testifying here today because you didn't want to take the fall. In fact, you're supposed to be sitting at that table today; aren't you?
>
> Rodgers: I still have charges pending against me.
>
> Trial Counsel: And what do you expect to happen to those charges?
>
> Rodgers: Nothing was offered to me, nothing was promised to me. I'm still--
>
> Trial Counsel: That's not my question. What do you expect to happen?
>
> Rodgers: What I expect is, I guess, the right thing to happen.
>
> Trial Counsel: Well, what do you consider to be the right thing?
>
> Rodgers: Whoever did it should take the wrap for it.
>
> Trial Counsel: In other words, you expect to walk away scot-free; is that true?
>
> Rodgers: No, because I still have pending charges against me, sir.
>
> Trial Counsel: That's not my question, do you have pending charges. My question is, at the end of this case do you expect to go to jail?
>
> Rodgers: I can't answer that because I'm not on trial today.
>
> Trial Counsel: I'm asking you what are your expectations — when your case is disposed of, what is your expectation?
>
> Rodgers: That I have a fair trial just like Travell Hill.
>
> Trial Counsel: So, you're telling this jury that you expect to sit in a chair just like that and go to trial for trafficking cocaine over four hundred grams?

(App.pp.117-119)

The cross-examination continued after an objection by the State with Trial counsel asking Rodgers:

> Trial Counsel: So, you expect to have a jury trial on the charge of trafficking cocaine greater than four hundred grams?

Rodgers: I guess that's what I'm supposed to have. I'm still on trial or I still — I have a charge of drug trafficking, so . . .

Trial Counsel: Do you expect to be convicted of drug trafficking?

Rodgers: No, I don't.

Trial Counsel: So, you don't expect to spend any time in jail for drug trafficking?

Rodgers: I mean, that's — I don't expect to, but I don't know what the jury is going to say.

Trial Counsel: If you were not sitting there testifying today, where would you be sitting?

Rodgers: I would still have a jury trial.

Trial Counsel: Where would you be sitting today if you were not sitting where you are right now?

Rodgers: As a Defendant.

Trial Counsel: At that table? Am I correct?

Rodgers: Yes, sir.

(App.pp.119-120).

Here Hill is unable to demonstrate deficiency as trial counsel's performance was reasonable. During trial counsel's cross-examination of Rogers, he was able to demonstrate the bias of the witness and show the jury how her testimony was not reliable given she was facing the same charges as Hill but was not expecting to spend time in jail as a result of her testifying. While trial counsel never asked how much time Rodgers was facing on her charge, he was able to elicit testimony from her that showed the jury that her testifying was beneficial to her. As such, counsel's decision should not be considered deficient as his line of questioning during cross-examination did not violate Hill's Confrontation Clause rights.

Regardless, Hill also failed to meet his burden of proving he was prejudiced. Hill cannot

demonstrate he suffered any prejudice in this matter because it is purely speculative to argue the result of his trial would have been different if trial counsel had questioned Rogers about the possible sentence she could receive on the charge she was facing. Trial counsel thoroughly cross-examined Rogers about the fact that more than a kilogram of cocaine was found under her feet on her side of the vehicle (a vehicle that had been rented for her use). The jury was well aware of Rogers' involvement in the events in question. The jury was aware Rogers had also been charged with trafficking in excess of 400 grams of cocaine – a situation made clear during trial counsel's cross-examination. (App.pp.118-19). It is speculative to opine the jury would have arrived at a different result in Hill's case merely because – in addition to numerous questions about her role in the events of Hill's case and the leniency she expected she would receive – trial counsel had specifically asked Rogers about the possible sentence she could receive. See Clark v. State, 315 S.C. 385, 434 S.E.2d 266 (1993) (holding pure conjecture as to what a witness's testimony would have been is not sufficient to show a reasonable probability the result at trial would have been different).

Accordingly, Hill failed to prove the first prong of the Strickland test – that trial counsel failed to render reasonably effective assistance under prevailing professional norms. Similarly, Hill also failed to prove the second prong of Strickland – that he was prejudiced by trial counsel's performance.

Hill failed to prove both prongs of the Strickland analysis. As he failed to meet his burden of proving ineffective assistance of trial counsel on this issue, the PCR judge did not err in denying the PCR application. See Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002) ("The burden of proof is on the applicant to prove his allegations by a preponderance of the evidence.").

CONCLUSION

For the foregoing reasons, the petition on this issue should be denied.

Respectfully submitted,

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July 18, 2018

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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TRAVELL LEVONE HILL,

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CERTIFICATE OF SERVICE

I, DeShawn H. Mitchell, certify that I have today served the within **Brief of Respondent** upon Appellant by depositing a copy of the same in the United States mail, postage prepaid, addressed to:

C. Rauch Wise, Esquire
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I further certify that all parties required by Rule to be served have been served. This 18th day of July, 2018.

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