

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM THE COUNTY OF YORK

Court of Common Pleas

The Honorable Circuit Court Judge, WILLIAM A. MCKINNON

Case No. 2017-CP-46-0505

RICKY EUGENE PASSMORE, SCDC # 315667_..... Petitioner,

v.

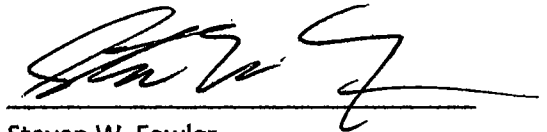
State of South Carolina,Respondent.

NOTICE OF APPEAL

The Petitioner appeal the Honorable Judge William A. McKinnon.'s Order filed on SEPTEMBER 14, 2018, denying post conviction relief to the Petitioner.

The Order was received by the undersigned counsel on September 17, 2018. A copy of the said Order on appeal is attached to this Notice.

This is the 20th day of September, 2018.



Steven W. Fowler
Fowler Law Firm
730 Main Street, Unit 237
North Myrtle Beach, SC 29582
Telephone: 843-663-0006
Fax: 843-280-0003
myfowlerlaw@gmail.com
SC Bar #69683

RECEIVED

SEP 24 2018

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM THE COUNTY OF YORK

Court of Common Pleas

The Honorable Circuit Court Judge, William Seals

Case No. 2017-CP-46-0505

RICKY EUGENE PASSMORE, SCDC #315667..... Petitioner,

v.

State of South Carolina,Respondent

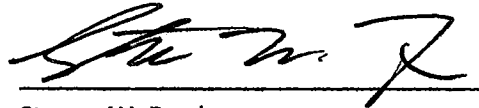
PROOF OF SERVICE

I, Steven W. Fowler, court- appointed attorney for Petitioner, certify that I have today served within Notice of Appeal and Copy of the Order signed by the presiding Judge upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to the following:

- 1) Assistant Attorney General, PO Box 11549, Columbia, SC 29211 and
- 2) Clerk of the South Carolina Supreme Court , 1231 Gervais St, Columbia, SC 29201
- 3) SCCID Appellate Defense, PO Box 11433, Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served on this below named date.

This is the 20th day of September, 2018.



Steven W. Fowler
Fowler Law Firm
730 Main Street, Unit 237
North Myrtle Beach, SC 29582
Telephone: 843-663-0006
Fax: 843-280-0003
myfowlerlaw@gmail.com
SC Bar #69683

RECEIVED

SEP 24 2018

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA RECEIVED IN THE COURT OF COMMON PLEAS
COUNTY OF YORK SIXTEENTH JUDICIAL CIRCUIT

2018 SEP 14 AM 8:31

Ricky Eugene Passmore, #315667

2017-CP-46-0505

Applicant YORK COUNTY, SC

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 February 16, 2017. Respondent submitted its Return on June 8, 2017. An evidentiary hearing was convened on August 1, 2018, at the York County Courthouse. Applicant was present at the hearing and was represented by Steven W. Fowler, Esquire. Respondent was represented by Assistant Attorney General Julie A. Coleman of the South Carolina Attorney General's Office.

The Court had before it the records of the York County Clerk of Court regarding the subject conviction, Applicant's records from the South Carolina Department of Corrections, the trial transcript, Applicant's appellate records, and the pleadings. The Court finds as follows:

I. PROCEDURAL HISTORY

The records before this Court indicate Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the York County Clerk of Court. In August 2013, the York County Grand Jury indicted Applicant for burglary in the first degree (2013-GS-46-2903) and criminal domestic violence of a high and aggravated nature (2013-GS-46-2902). Applicant was subsequently indicted in January 2014 for kidnapping (2014-GS-46-209) and possession of a weapon during the commission of a violent crime (2014-GS-46-219). Daniel Hall, Esquire represented Applicant. Assistant Solicitor Jessica Holland, Esquire prosecuted the

USA / 1

case. On March 31 and April 1, 2014, Applicant proceeded to trial before the Honorable John C. Hayes, III. The jury found Applicant guilty as indicted on the charge of burglary in the first degree and not guilty on the other charges. Judge Hayes sentenced Applicant to imprisonment for a term of thirty years.

Applicant filed a timely notice of appeal. Chief Appellate Defender Robert Michael Dudek, Esquire, of the Office of Appellate Defense perfected the appeal. The South Carolina Court of Appeals affirmed Applicant's conviction on March 2, 2016. State v. Passmore, Op. No. 2016-UP-097 (S.C. Ct. App. filed March 2, 2016). Applicant filed a petition for writ of certiorari to the South Carolina Supreme Court on June 13, 2016. The Supreme Court denied the petition on October 20, 2016. The remittitur was sent on October 25, 2016.

II. ALLEGATIONS

In his current application, Applicant alleges that he is being held in custody unlawfully based on the following allegations:

1. "Ineffective Assistance of Counsel"
2. "Multiple U.S. Constitutional violations including but not limited to Amend #6, #14, Due Process violations, Brady violations, denial of right to trial by jury."
3. "Lack of Subject Matter Jurisdiction"

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. 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. SUMMARY OF RELEVANT TESTIMONY

At the evidentiary hearing, Applicant testified on his own behalf. Respondent presented testimony of Geoffrey Dunn (hereinafter "Trial Counsel") and Assistant Solicitor Leslie Robinson ("Solicitor").

Applicant

At the evidentiary hearing, Applicant testified that he met with his attorney several times before the trial, but they were quick, five-minute meetings. He stated he suffers from a medical condition that causes him to have a problem focusing, and he has to write things down because his mind scrambles. He stated he is currently on a treatment for this condition, and he attends

WAM/3

outpatient mental health treatments. Applicant testified this condition causes him to have a problem putting facts together. He stated he did not tell Trial Counsel about this condition, and he did not give Trial Counsel any reason to ask about it, but Trial Counsel probably should have had him evaluated anyway. He opined that if he had been evaluated, he could have gotten treatment before the trial and he would have been able to better understand what was going on. However, Applicant testified that he understood everything that was going on before and during his trial.

Applicant testified Trial Counsel was ineffective for failing to have the trial judge require the State to comply with his motion to provide Rule 5 and Brady material before the trial began. He stated Trial Counsel made the motion, but the trial judge did not do anything about it, because everyone assumed the State had complied. Applicant testified there was evidence which was favorable to him that he does not know if Trial Counsel ever received from the State, and if he did receive it, Trial Counsel should have used it at trial and did not. He stated this evidence included documents such as the report of the investigator who searched for fingerprints in the house and did not find any, the voicemail messages from the calls Applicant made to the victim before he came to the house, a statement from the victim, a statement from Rebecca Rogers, and a recording from a body camera.

Applicant testified that Trial Counsel ruined his whole case in his opening statement when he told the jury that on the night of the crime Applicant went over to the victim's house to find Chip, the victim's new boyfriend. He stated this aligned with the State's theory of the case, and by admitting this to the jury, he prejudiced Applicant's case. Applicant testified Trial Counsel had a copy of Rebecca Rogers' statement, and she testified at trial, but Trial Counsel did not use her statement to cross-examine her about Applicant calling the victim on his way to the house. He stated Trial Counsel should have used the fingerprint report to show the jury that Applicant did

WAM/4

not run through the whole house turning on lights, as the State alleged. He stated the Solicitor withheld voicemail recordings of his phone calls to the victim before the crime, which would have corroborated his testimony at trial.

Applicant testified Trial Counsel should have argued to the jury that the police officer testified he could see the victim through the window of the house when he arrived, so Cody could have seen Applicant through the same window before he let him into the house. He explained that, at trial, the State argued the window was so foggy that Cody could not see who was at the door before he opened it, which showed Applicant entered without consent. Applicant testified the State edited out every part of the tape recording of his phone call to his daughter that was favorable to him, but Trial Counsel did not do anything about it even when he told him about it. He further stated that Trial Counsel did nothing to suppress the illegally obtained evidence against him that was seized upon his arrest in his brother's car. Applicant testified he was denied his constitutional right to a trial by jury, because he has a right to have the jury hear all the facts, and they did not.

Solicitor

Assistant Solicitor Jessica Holland testified that she turned over all Rule 5 and Brady material required of her before the trial of this case. She stated she did not withhold any discovery material. She testified the recording of Applicant's phone call to his daughter was not edited in any way, and the full recording, which was played at trial, was 20 to 21 minutes long. Solicitor Holland testified she did not recall having any recordings of voicemails that Applicant left on the victim's cell phone before the crime.

Trial Counsel

Trial Counsel testified he has been practicing law since 1988, and most of his practice is criminal. He stated he was appointed to this case as an Assistant Public Defender around June 27,

WAM/5

2013. Trial Counsel testified he met with Applicant at least nineteen times before his trial. He stated this case was called for trial twice before it went forward; both times he was prepared to go forward, but the trial was cancelled because of snow. He testified that he reviewed all the discovery material with Applicant and he was not aware of any Brady violations by the State in this case. He stated the State provided all Rule 5 and Brady material to him before the trial, and he and the State agreed on the record when he made his motion that the State had complied, so there was no reason for the trial court to enforce his motion. Trial Counsel testified Applicant did not tell him about any mental health problems, and he saw no indication of a need for a mental evaluation.

Trial Counsel testified the State introduced a recording of a phone call Applicant made to his daughter before the crime, which was terrible evidence and hurt Applicant's case. He stated he saw no legal basis to move to suppress the phone call because it was recorded by Applicant's daughter. He testified that his trial strategy for the phone call was to pass it off as a "redneck rant" to the jury, and argue that he did not mean any harm from the call, but was just ranting out of frustration. He stated he discussed this strategy with Applicant, who agreed with the approach. Trial Counsel testified this phone call showed Applicant's motive, his intent, and his reason for going over to the victim's home on the night of the crime. He testified Applicant thought his statements in the phone call were the truth, and he never objected to anyone hearing the recording. Trial Counsel stated Applicant never asked him to move to suppress the phone call because he wanted the jury to hear the call, and he opined that it would have been futile to move to suppress the call regardless.

Trial Counsel testified his general trial strategy was to argue that this was a disagreement between Applicant and his ex-wife, but Applicant never had any intent to harm anybody, and he did not harm anybody. He attempted to show the jury that this was a marital dispute, and

WAM/10

Applicant's actions were his normal way of resolving issues. He stated there was no question about the facts of the case because Applicant always admitted to being in the victim's house with a sword. He testified the issues came down to whether he was let inside with consent and whether he had the intent to commit a crime within the house. He explained that the victim testified Applicant was not allowed over to her house, but Applicant testified that he was, so it came down to who the jury believed on this issue.

Trial Counsel testified that because there was never a factual dispute about Applicant's presence in the house, there was no reason to use the fingerprint report to show he was not in the house or turning on lights and opening doors as the State alleged. He stated that the report was not relevant and had no effect on the trial at all. Trial Counsel stated that he had copies of the victim's statement and Rebecca Rogers' statement, but there was nothing in either statement to impeach them with, because their trial testimony was similar to their statements. Trial Counsel testified he did not recall any recordings of voicemails Applicant left to the victim before the crime, but if there had been, he would not have used them anyway because he did not believe it helped his case to show Applicant was calling the victim while he was on his way over to her house before the burglary.

Trial Counsel testified all of the recordings of witness interviews were presented to him in discovery, and he and Applicant spent two days listening to every recording before the trial in the holding cell. Trial Counsel further explained that he did not want to use the victim's statement to cross-examine her at trial because it contained information that was more damaging to his client, like her statement that Applicant pushed her down on the couch, so he did not want to put it in at trial.

Wan h

Trial Counsel testified that his opening statement about how Applicant went looking for Chip was an attempt to maintain credibility with the jury because, even though Applicant was always adamant that he was not looking for Chip, Trial Counsel believed there seemed to be overwhelming evidence that he was looking for Chip. He stated that he later argued to the jury in his closing argument that the evidence showed he was not looking for Chip. He testified he had no reason to think the phone call recording had been edited or cut from its original form. Trial Counsel testified he had no legal basis to challenge the evidence taken from the car upon Applicants' arrest because the police had a description of the car and its occupants.

Trial Counsel testified that even if the jury found Applicant did not go to the victim's house to look for Chip, there was still evidence that the jury could use to determine Applicant had intent to commit a crime therein. He stated this was not the sole basis of the State's case of intent to commit a crime within the home, so if his argument had been different it would not have made any difference.

VI. 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. First, this Court finds Trial Counsel's testimony to be credible and persuasive. Trial Counsel credibly

Wm/s

testified that his trial strategy was to argue to the jury that Applicant's actions were merely part of a dispute between him and his ex-wife, and this was his normal way of resolving issues, and he meant no harm and caused no harm. He addressed the racist and threatening phone call from Applicant to his daughter as a "redneck rant" that he did not really mean.

Trial Counsel credibly testified Applicant did not want him to suppress the recording of the phone call at trial, and that, even if he had moved to suppress it, the motion would have been meritless, as there was no legal basis to move to suppress the call. This Court finds Trial Counsel was not deficient in failing to move to suppress this phone call, as he was acting according to Applicant's wishes in defending his case. This Court further finds no resulting prejudice from the choice not to move to suppress this recording, as there was no legal basis to suppress the call, and such a motion would not have succeeded. The phone call was recorded by Applicant's daughter on her cell phone, not by law enforcement, so there were no potential "wiretap" violation issues. If Trial Counsel had moved to suppress the phone call as more prejudicial than probative, his motion likely would have been denied, as well, because the phone call was extremely probative of Applicant's motive and intent only five hours before he committed this crime. Applicant has failed to prove either prong of the Strickland test regarding this issue.

This Court further finds Trial Counsel was not ineffective for failing to use the statement of the victim or of Rebecca Rogers to impeach these witnesses at trial, as their trial testimony was fairly consistent with their statements. Trial Counsel credibly testified he strategically chose not to introduce these statements because they contained damaging information about Applicant's involvement with the crime, such as the victim's statement that Applicant pushed her down on the couch, which would have contributed to the State's allegation of kidnapping.

WAM / 9

Strickland requires that trial counsel must be given leeway to make reasonable strategic decisions. No particular set of detailed rules for counsel's conduct can satisfactorily take account of the variety of circumstances faced by defense counsel or the range of legitimate decisions regarding how best to represent a criminal defendant. Strickland v. Washington, 466 U.S. 668, 688-689 (1984). "Representation is an art, and an act or omission that is unprofessional in one case may be sound or even brilliant in another." Id. at 691. Therefore, judicial scrutiny of counsel's performance must be highly deferential. Id. at 689. Where counsel articulates a valid strategic reason for his action or inaction, counsel's performance should not be found ineffective. Roseboro v. State, 317 S.C. 292, 454 S.E.2d 312 (1996); Underwood v. State, 309 S.C. 560, 425 S.E.2d 20 (1992); Stokes v. State, 308 S.C. 546, 419 S.E.2d 778 (1992). Courts must be wary of second guessing counsel's trial tactics; and where counsel articulates a valid reason for employing such strategy, such conduct is not ineffective assistance of counsel. Whitehead v. State, 308 S.C. 119, 417 S.E.2d 529 (1992).

There is also no resulting prejudice from Trial Counsel's failure to use these statements to impeach these witnesses, as the statements would not have changed the outcome of the trial. The information in the statements matched the witnesses' trial testimony and was not favorable to Applicant or relevant to his guilt. Applicant has failed to prove deficiency or prejudice from the failure to use these statements.

This Court further finds Trial Counsel was not ineffective for failing to use the fingerprint report to argue that Applicant's fingerprints were not found on the doorknobs or light switches within the house where the State alleged he was running through the house opening doors and turning on lights because Applicant's presence in the house was not a factual dispute at issue in the trial. Applicant testified at trial and admitted to being inside the house with a sword. The real

WAM/10

issues for the jury to determine were whether he entered the home without consent and with the intent to commit a crime therein. Any evidence showing Applicant might not have been turning on lights or opening doors would not have affected the jury's verdict based on these issues. Accordingly, there is no deficiency or resulting prejudice from the lack of use of this report at trial.

The testimony at the evidentiary hearing showed no evidence of the existence of recordings of any potential voicemail messages Applicant left the victim on his way to her home. Regardless, even if these recordings had existed, Trial Counsel was not deficient for failing to introduce them into evidence to corroborate Applicant's testimony because he articulated a valid trial strategy to avoid these voicemails, as they hurt Applicant's case more than helped. Furthermore, there is no prejudice, as the existence of these voicemails would not have changed the outcome of the case. Applicant asserts it would have shown he did not have the intent to commit a crime within the home, but the evidence presented at trial of Applicant's intent to harm Chip, the victim's new boyfriend, when he arrived at the house is very strong. This Court finds no deficiency or prejudice for this allegation.

In general, this Court finds Trial Counsel was well prepared for this trial and spent a great deal of time meeting with Applicant, explaining the charges and the evidence, and discussing their trial strategy. Trial Counsel credibly testified he met with Applicant at least nineteen times and thoroughly reviewed all discovery materials. Trial Counsel clearly worked with and listened to his client in preparing this trial and executed a defense strategy of passing off Applicant's actions as those of a "redneck" who meant no harm. This Court finds Trial Counsel's representation was well within reasonable professional norms, and he thoroughly represented Applicant to the best of his ability throughout the trial. Applicant has failed to meet his burden of proving anything Trial Counsel could have done differently which would have changed the outcome of the case, and thus

WMM/4

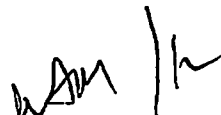
has failed to prove deficiency or prejudice under any of his allegations of ineffective assistance of counsel. Accordingly, this application is denied and dismissed with prejudice.

CONSTITUTIONAL VIOLATIONS

Applicant alleges several violations of his constitutional rights. These allegations are meritless. Applicant has failed to meet his burden of proving any Brady violations, as the testimony at the evidentiary hearing showed all Rule 5 material and Brady material was given to Applicant and Trial Counsel by the State before the trial. Applicant has failed to show any evidence that was not turned over as required by the rules or Brady. Furthermore, Applicant has failed to prove a violation of his right to effective counsel or his right to a jury trial. The record shows Applicant received a full and fair jury trial and had the opportunity, through counsel, to challenge all witnesses against him and put up a defense to the State's allegations. Accordingly, these allegations are denied and dismissed with prejudice.

LACK OF SUBJECT MATTER JURISDICTION

Applicant's allegation that the trial court lacked subject matter jurisdiction when it failed to ensure the State had complied with his Rule 5 and Brady motion is meritless. An applicant may challenge the subject matter jurisdiction of the trial court and such a claim is one that may be raised at any time. See Brown v. State, 343 S.C. 342, 540 S.E.2d 846 (2001), overruled in part by Gentry, 363 S.C. 93, 610 S.E.2d 494 (2005). However, "[c]ircuit courts obviously have subject matter jurisdiction to try criminal matters." Gentry, 363 S.C. 93; See also S.C. Const. Art. V, § 7. Thus, Applicant must present evidence that his case is of some class over which the circuit court does not have the authority to preside. Applicant's conviction involved a criminal charge in General Sessions Court. Thus, the circuit court had subject matter jurisdiction. Applicant has failed to



present any evidence that the convictions he challenges in this application are in a class over which the circuit court does not have the authority to provide. Therefore, this allegation is denied and dismissed without prejudice.

VII. 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), SCRCP, 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.

IT IS THEREFORE ORDERED:


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

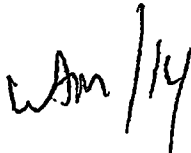
AND IT IS SO ORDERED this 10 day of September, 2018.


WILLIAM A. MCKINNON

WAM / 13

Presiding Judge
Sixteenth Judicial Circuit


_____, South Carolina



FORM 4

**STATE OF SOUTH CAROLINA
COUNTY OF YORK
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE
CASE NUMBER 2017CP4600505**

Ricky E Passmore		South Carolina State Of	
------------------	--	-------------------------	--

PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**
 - Rule 12(b), SCRPC;
 - Rule 41(a), SCRPC (Vol. Nonsuit);
 - Rule 43(k), SCRPC (Settled);
 - Other: _____
- ACTION STRICKEN (CHECK REASON):**
 - Rule 40(j) SCRPC;
 - Bankruptcy;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 - Affirmed;
 - Reversed;
 - Remanded;
 - Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

**ORDER INFORMATION
ORDER OF DISMISSAL**

This order ends does not end the case.
Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

S/ WILLIAM A MCKINNON
Circuit Court Judge

2761
Judge Code

9/14/2018
Date

For Clerk of Court Office Use Only

This judgment was entered on 9/14/2018, and a copy mailed first class or placed in the appropriate attorney's box on 9/14/2018, to attorneys of record or to parties (when appearing pro se) as follows:

Steven Willard Fowler 730 Main Street Unit # 237 North
Myrtle Beach, SC 29582

Justin James Hunter PO Box 12519 Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

David Hamilton

Court Reporter

David Hamilton - Clerk of Court

Court Reporter:

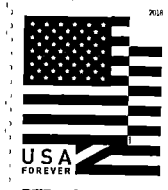
E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRCF.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

Fowler Law Firm
730 Main Street
Unit 237
NMB, SC 29582

FOWLER
Law Firm
Fowler Fights For You.



Clerk of the SC Supreme Court
1231 Gervais Street
Columbia, SC
29201