

 **RESNICK & LOUIS, P.C.**
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REPLY TO THE CHARLESTON OFFICE
234 Seven Farms Drive, Suite 128
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November 8, 2018

RECEIVED

NOV 14 2018

S.C. SUPREME COURT

VIA U.S. MAIL

The Honorable Daniel E. Shearhouse
Clerk of South Carolina Supreme Court
Supreme Court Building
Post Office Box 11330
Columbia, SC 29211

Re: Antwan Young, #297595 v. State of South Carolina
Civil Action No.: 2017-CP-10-6171

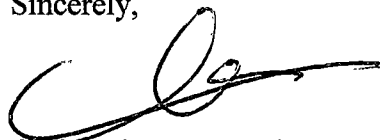
Dear Mr. Shearhouse:

Enclosed for filing, please find an original and two copies of Appellant's Notice of Appeal of the denial of his application for Post-Conviction Relief, and a Proof of Service regarding same. If you find everything in order, please file the original and return the clocked-in copies in the enclosed self-addressed envelope.

Please note, I was appointed to this and case and have copied the Office of Appellate Defense on this who will handle the appeal. Please call if you have any questions.

With kindest regards, I am

Sincerely,



Christopher L. Murphy, Esq.
For the Firm

CLM/jh

Enclosures

cc (w/ encls.): Mr. Antwan Young
Kelly Oppenheimer, Asst. AG
Office of Appellate Defense
The Honorable Deadra L. Jefferson, Circuit Court Judge
The Honorable Julie J. Armstrong, Clerk, 9th Jud. Cir.

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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The Honorable Deadra L. Jefferson, Circuit Court Judge

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S.C. SUPREME COURT

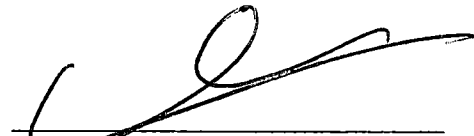
Case No.: 2017-CP-10-6171

Antwan Young, #297595 Appellant
v.
State of South Carolina Respondent

NOTICE OF APPEAL

Appellant appeals the Court's denial of his application for post-conviction relief.
Attached is the order from the court dated October 24, 2018 and received October 30, 2018.

November 8, 2018



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STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

Antwan Young, #297595,)

Applicant,)

v.)

State of South Carolina,)

Respondent.)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

Case No. 2017-CP-10-6171

ORDER OF DISMISSAL

FILED
2018 OCT 19 AM 10:33
CLERK OF COURT

Presiding Judge: Honorable Deadra L. Jefferson
Applicant's Attorney: Christopher L. Murphy, Esquire
Respondent's Attorney: Kelly Oppenheimer, Esquire
Plea Counsel: Adam Mlynarczyk, Esquire
Date of Hearing: July 23, 2018
Court Reporter: Joyce C. Rueger

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed December 4, 2017 by Antwan Young (Applicant). The Respondent made its Return on or about February 6, 2018. An evidentiary hearing into the matter was convened on July 23, 2018 at the Charleston County Courthouse. The Applicant was present at the hearing and was represented by Christopher L. Murphy, Esquire. Kelly Oppenheimer, Esquire, of the South Carolina Attorney General's Office was present on behalf of the State of South Carolina. Applicant's plea counsel, Adam Mlynarczyk was also present. Testimony was taken from Adam Mlynarczyk and the Applicant at the hearing. This Court was also presented with the guilty plea transcript, the records of the Charleston County Clerk of Court, the Applicant's records from the South Carolina Department of Corrections, the PCR application, and Respondent's Return at the

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hearing. After a review of the record and all evidence presented, this Court finds that Applicant has failed to meet his burden of proof and denies the application with prejudice.

PROCEDURAL HISTORY

The Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Charleston County Clerk of Court. The Applicant was indicted at the June 2017 term of the Charleston County Grand Jury for: (1) Distribution of Heroin – Third Offense¹ (2017-GS-10-03624) and (2) Trafficking Cocaine, more than 10 grams but less than twenty-eight grams - Second Offense² (2017-GS-10-03625). Applicant pled guilty as indicted to both charges on August 24, 2017. The Honorable R. Markley Dennis sentenced the Applicant to fifteen years, concurrent, on each charge pursuant to a negotiated plea. Applicant did not appeal his plea or sentence.

ALLEGATIONS

In his application for post-conviction relief, Applicant alleges he is being held in custody unlawfully for the following allegations:

1. Ineffective Assistance of Counsel
 - a. Failure to challenge the State's so-called evidence
 - b. Failure to give Applicant a copy of the plea offer
2. Illegal sentence; and
3. Involuntary guilty plea.

¹ Distribution of Heroin is a serious felony punishable by a term of imprisonment for not less than fifteen (15) years, nor more than thirty (30) years or a fine not more than fifty thousand dollars (\$50,000.00) or both. See S.C. CODE ANN. § 44-53-370(b)(1) (2005).

² Trafficking in Cocaine – Second Offense is a serious felony punishable by a term of imprisonment for not less than five years nor more than thirty years, no part of which may be suspended nor probation granted, and a fine of fifty thousand dollars. S.C. CODE ANN. § 44-53-375(a)(1)(C) (2005).

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At the evidentiary hearing, Applicant proceeded forward on the above allegations, originally raised in his application for post-conviction relief. All other allegations are hereby deemed to have been abandoned.

SUMMARY OF THE TESTIMONY AT THE EVIDENTIARY HEARING

The Applicant first presented the testimony of plea counsel, Adam Mlynarczyk. Mr. Mlynarczyk testified that he was appointed as conflict counsel to represent Applicant by Judge Dennis in March of 2017. He testified that he did not contact the Applicant until he received the signed order of his appointment, but prepared the file and filed Brady and Rule 5, SCRCrimP, motions in the interim. Counsel further testified that he first met Applicant for an introductory meeting, during which time he reviewed the circumstances surrounding Applicant's arrest and charges with the Applicant.

Counsel later received the discovery materials in April of 2017. The discovery in this case consisted of 204 pages of written discovery and six videos of drug transactions involving the Applicant. Counsel investigated the discovery materials by contacting the law enforcement agents involved in the drug transactions. He also reviewed the discovery materials with Applicant and provided Applicant with a copy of the discovery on May 18, 2017. Counsel testified that Applicant never asked him to do any additional investigation nor did he provide him with any leads or witnesses to investigate.

Counsel further testified that he discussed whether to plea or go to trial with the Applicant. During these conversations, he advised the Applicant that the evidence against him was strong since there was video and audio of the controlled buys with the Applicant. Counsel also discussed the potential ramifications of a letter Applicant wrote to the Solicitor, in which he expressed

3/14
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responsibility for the crimes, at trial. He further explained to Applicant that it would be difficult to defend the case at trial, but that he would try to attack the chain of custody and the transactions.

Counsel also discussed the elements of the charged offenses, potential defenses, and possible punishments with the Applicant. Specifically, Counsel advised the Applicant that he was eligible for life without the possibility of parole ("LWOP") due to his extensive criminal record.³ Counsel testified that he explained Applicant's LWOP eligibility to him and explained that the State would likely seek life without parole if the case proceeded to trial. He testified that they discussed potential sentences at length, but that the State never filed LWOP-notice.

In light of this overwhelming evidence against the Applicant, Counsel testified that he entered into plea negotiations with the State. The State initially offered the Applicant eighteen years upon pleading guilty to Distribution of Heroin – Second Offense (a reduced charge) and Trafficking in Cocaine – Third Offense. However, after extensive negotiation, the State and Defense agreed upon a negotiated sentence of fifteen years. Counsel testified that he communicated the plea offer to the Applicant, explained the nature of negotiated pleas, informed him of the consequences of the plea, and advised him of his constitutional rights. He further explained to Applicant that the offer was not parole eligible, and that he would, thus, be required to serve eighty-five percent of his sentence. Counsel advised Applicant that the offer was the best case scenario, but left the decision of whether to accept or reject the offer to the Applicant. Applicant ultimately decided to plead guilty pursuant to the negotiated plea.

³ Applicant's criminal record includes convictions for Possession of Crack, Possession of Cocaine, and Possession of Marijuana in 1999, convictions for Distribution of Cocaine and Proximity of Cocaine in 2001, a conviction for Possession of Cocaine in 2003, a conviction for Possession of Cocaine in 2006, and convictions for Distribution of Cocaine and False Report in 2009.

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Following counsel's testimony, the Applicant testified on his own behalf. The Applicant testified that Adam Mlynarczyk represented him at the guilty plea. Applicant testified that he met with Mr. Mlynarczyk approximately three times prior to the plea for about twenty to thirty minutes. Applicant recalled that he discussed the charges and potential sentences with counsel during the first meeting. Applicant testified that counsel informed of the plea offer of eighteen years at this initial meeting as well. He recalled that counsel informed him he would have to serve eighty-five percent of the sentence, but that he would be eligible for parole every year. However, Applicant did not wish to accept this offer, and informed counsel of the same at this meeting.

Applicant then testified that Counsel presented him with another plea offer at their second meeting. This offer was for fifteen years imprisonment upon pleading guilty to Distribution of Heroin - Third Offense and Trafficking in Cocaine - Second Offense. Applicant testified that this offer sounded like a better deal than the first offer, but at the end of the day, it was not.

Applicant further testified that he met with counsel a third time right before the guilty plea, and that they again discussed the terms of the negotiated plea. Applicant recalled that Counsel told him that his best option was to plead. Applicant also testified that Counsel again advised him of the possibility of LWOP if the case proceeded to trial. Applicant stated that he did not want to plead guilty, but ultimately decided to plea based on Counsel's advice and his belief that Counsel was not prepared for trial. He stated that he wished that Counsel could have spoken up more at the plea, but did not specify what he would have liked plea counsel to convey to the Court.

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 and arguments presented at the Post-Conviction Relief hearing. This Court has further

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had the opportunity to observe each witness who testified at the hearing, closely pass upon his or her credibility, and weigh his or her testimony accordingly. Upon doing so, the Court finds counsel's testimony to be credible whereas Applicant's testimony is not. The Court has detailed its relevant findings of facts and conclusions of law, as required by S.C. Code Ann. § 17-27-80 (1985), below.

I. Ineffective Assistance of Counsel

The Applicant seeks relief from his conviction on the basis that he received ineffective assistance of counsel at his criminal trial in violation of the Sixth Amendment. The Sixth Amendment to the United States Constitution guarantees a defendant the right to effective assistance of counsel. U.S. Const. amend. VI; Strickland v. Washington, 466 U.S. 668, 686, 104 S. Ct. 2052, 2064 (1984). 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, 466 U.S. at 686, 104 S. Ct. at 2064; Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985).

In evaluating allegations of ineffective assistance of counsel, the reviewing court must apply a two-pronged test. Strickland, 466 U.S. 668, 104 S. Ct. at 2064. First, the applicant must prove that counsel's performance was deficient. Id.; Cherry v. State, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989). Under this prong, the court measures an attorney's performance by its "reasonableness under prevailing professional norms." Cherry, 300 S.C. at 117, 386 S.E.2d at 625 (quoting Strickland, 466 U.S. at 690, 104 S. Ct. at 2064). The proper measure of performance is whether an attorney provided representation within the range of competence required in criminal

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cases. Butler, 286 S.C. at 442, 334 S.E.2d at 814. "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Id. (citing Strickland, 466 U.S. at 690, 104 S. Ct. at 2064). The applicant must overcome this presumption to receive relief. Cherry, 300 S.C. at 118, 386 S.E.2d at 625. Once the Applicant has established deficient performance by counsel, he must then establish that counsel's performance 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. "A reasonable probability is a probability sufficient to undermine confidence in the outcome of the trial." Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland, 466 U.S. at 694, 104 S. Ct. at 2068). After careful review based on the above standard, this Court finds that the Applicant has failed to carry his burden in this action. Below are this Court's findings in regards to each of Applicant's allegations of ineffective assistance of counsel.

A. Failure to Challenge the Evidence

Applicant first alleges that Counsel was ineffective for failing to challenge the State's evidence against the Applicant. However, "a guilty plea generally acts as a waiver of all non-jurisdictional defects and defenses." State v. Thomason, 341 S.C. 524, 526, 534 S.E.2d 708, 710 (Ct. App. 2000) (citing State v. Munsch, 287 S.C. 313, 338 S.E.2d 329 (1985)). Indeed, a defendant admits all of the elements of the offense charged and waives all defenses, except for the sufficiency of the indictment, by pleading guilty. Id. This case is no exception. At the plea, Applicant allocuted to the facts of the case presented by the State. (Transcript of Plea at 8:19-21, State v. Antwan Young, August 24, 2017). Moreover, Applicant indicated to the plea court that

7 of 14
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he understood he would be waiving his right to a jury trial, to confront witnesses, and to remain silent by pleading guilty. (Id. at 7:14-17). Given Applicant's solemn admission of guilt at the plea and understanding waiver of his rights, this Court finds that Applicant has failed to establish Counsel was deficient for failing to challenge the State's evidence.

Applicant has also failed to establish any resulting prejudice from this alleged deficiency. While it is true that counsel should conduct a reasonable investigation into potential defenses, our courts do not "impose a constitutional requirement that counsel uncover every scrap of evidence that could conceivably help their client." Tucker v. Ozmint, 350 F.3d 433, 442 (4th Cir. 2003) (quoting Green v. French, 143 F.3d 865, 892 (4th Cir. 1998)). "In any ineffectiveness case, a particular decision not to investigate must be directly assessed for reasonableness in all the circumstances, applying a heavy measure of deference to counsel's judgments." Wiggins v. Smith, 539 U.S. 510, 521-22 (2003). Failure to conduct an independent investigation is not ineffective assistance of counsel when the allegation is supported only by mere speculation as to result. Porter v. State, 368 S.C. 378, 385-86, 629 S.E.2d 353, 357 (2006), abrogated on other grounds by Smalls v. State, 422 S.C. 174, 810 S.E.2d 836 (2018) (citing Moorehead v. State, 329 S.C. 329, 334, 496 S.E.2d 415, 417 (1998)).

Here, Counsel credibly testified that the Applicant did not provide him with any independent leads or witnesses to investigate during their meetings. Counsel nevertheless conducted an independent investigation of the case by speaking with the law enforcement officers involved in the drug transactions. Counsel then shared his investigative efforts and the results with the Applicant and the plea court. (Transcript of Plea at 6:18-23, State v. Antwan Young, August 24, 2017). Furthermore, after sharing those results with the Applicant, Applicant indicated his

80 of 14
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desire to enter a guilty plea and requested that Counsel negotiate on his behalf. Id. at 624 -72. Accordingly, this Court finds that Applicant has wholly failed to meet his burden, and this allegation is hereby denied and dismissed with prejudice.

B. Failure to Convey Plea Offer

Applicant further alleges that Counsel was ineffective for failing to convey a plea offer. In order to prevail on a claim that counsel was ineffective for failing to convey a plea offer, the applicant must show: (1) that counsel's failure to communicate the State's initial plea offer constituted deficient performance; and (2) that the applicant was prejudiced by the deficient performance. Davie v. State, 381 S.C. 601, 675 S.E. 416 (2009). In other words, the Applicant must prove that there was a reasonable probability he would have accepted the original plea offer, but for counsel's deficient performance. Id.

The Applicant in this case has wholly failed to establish that there was an offer from the State that was not communicated to him by counsel. Both the Applicant and Counsel testified at the evidentiary hearing that there were two plea offers: the initial offer of eighteen years, and the negotiated offer of fifteen years. Applicant further testified that he was fully aware of the eighteen year offer, since Counsel communicated it to him, but that he did not want to take that offer. Likewise, plea counsel testified that he had extensive conversations with the Applicant regarding the plea offer, and that he entered into plea negotiations with the State on the Applicant's behalf. In light of the foregoing, this Court finds that Applicant has failed to establish deficiency by plea counsel or prejudice as a result. Accordingly, this allegation is denied and dismissed with prejudice.

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II. Alleged Illegal Sentence

Applicant further contends that the sentence imposed is illegal. A trial court has broad discretion in imposing criminal sentences within the limits prescribed by law. State v. Franklin, 267 S.C. 240, 226 S.E.2d 896 (1976). Thus in order to obtain relief pursuant to this allegation, the Applicant must prove that the alleged excessive sentence was the result of partiality, prejudice, oppression, or corrupt motive, or that the sentence constitutes cruel and unusual punishment per se. Clark v. State, 259 S.C. 378, 192 S.E.2d 209 (1972); State v. Cogdell, 273 S.C. 563, 257 S.E.2d 748 (1979).

The Applicant in this case was charged with Distribution of Heroin - Third Offense and Trafficking Cocaine, greater than ten grams but less than twenty-eight grams - Second Offense. The first charge - Distribution of Heroin, Third Offense, carries a term of imprisonment of "not less than ten years nor more than thirty years, or [a fine of] not more than fifty thousand dollars, or both." S.C. Code Ann. § 44-53-370(b)(1). Applicant was sentenced to a term of imprisonment of fifteen years for this offense - a penalty which clearly falls within the penalty range set forth by the statute. The second charge - Trafficking Cocaine, greater than ten grams but less than twenty-eight grams, Second Offense carries "a term of imprisonment of not less than five years nor more than twenty years, no part of which may be suspended nor probation granted, and a fine of fifteen thousand dollars." S.C. Code Ann. § 44-53-370(e)(1)(a). Applicant also received a sentence of fifteen years on this offense, which was well within the penalty range proscribed by statute.

Furthermore, at his plea hearing, the Applicant indicated that he understood the trafficking charge carried between five and thirty years. (Transcript of Plea at 4:20 - 5:9, State v. Antwan

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Young, August 24, 2017). Applicant further indicated that he understood he negotiated a fifteen year sentence for this charge. (Id. at 5:10-12). Applicant was likewise aware of the penalty range on Distribution of Heroin. (Id. at 5:25 – 6:5). Applicant further understood that he was pleading guilty to a negotiated fifteen year sentence on the distribution charge, to run concurrently with the trafficking charge. (Id. at 6:2-5). In light of the foregoing, this allegation is denied and dismissed with prejudice.

III. Involuntary Guilty Plea

Lastly, Applicant alleges that his guilty plea was not voluntarily made. In evaluating issues concerning guilty pleas, this Court will consider the entire record, including the transcript of the guilty pleas and the evidence presented at the post-conviction relief hearing. See Roddy v. State, 339 S.C. 29, 33, 528 S.E.2d 418, 420 (2000). The voluntariness of a guilty plea is not merely determined by an examination of a specific inquiry made by the sentencing judge alone, but is determined from the record made at the time of the guilty plea, and also from the record of the PCR hearing. Id. In order to make a finding that the guilty plea was knowing and voluntary, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him. Boykin v. Alabama, 395 U.S. 238, 242, 89 S. Ct. 1709, 1712 (1969). Further, “[a] guilty plea is a solemn, judicial admission of the truth of the charges” against the Applicant; as a result, an applicant’s right to contest the validity of such a plea is usually foreclosed. Dalton v. State, 376 S.C. 130, 137–38, 654 S.E.2d 870, 874 (citing Blackledge v. Allison, 431 U.S. 63 (1977)). Thus, admissions “made during a guilty plea should be considered conclusive unless [an applicant] presents valid reasons why he should be allowed to depart from the truth of his statements.” Id. (citing Crawford v. United States, 519 F.2d 347 (4th Cir. 1975));

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Edmonds v. Lewis, 546 F.2d 566 (4th Cir. 1976). Additionally, when a defendant pleads guilty on the advice of counsel, the plea may only be attacked through a claim of ineffective assistance of counsel. Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2002) (citing Al-Shabazz v. State, 338 S.C. 354, 363-64, 527 S.E.2d 742, 747 (1999)).

The Court finds this allegation to be without merit. Plea counsel credibly testified that he conferred with the Applicant prior to his guilty plea and adequately advised him of his constitutional rights, range of penalty, the nature of a negotiated plea, and the consequences of his guilty plea. Applicant himself testified that he was advised of these rights by counsel and that it was ultimately his decision to plead guilty. Moreover, the record reflects that the Applicant desired to plead guilty to the charged offenses and that the Applicant entered his plea freely, voluntarily, knowingly, and intelligently. (Transcript of Plea at 9:23 - 10:8, State v. Antwan Young, August 24, 2017). The Applicant told the Court that he was not under the influence of drugs or medication at the time of the plea (Id. at 11: 6-8). Further, the record reflects the Applicant's complete allocution to the facts as presented by the State and his guilt. (Id. at 8:1-18). The Applicant told the Court he wished to plead guilty to Distribution of Heroin - Third Offense and Trafficking Cocaine - Third Offense and informed the Court he understood the penalty range for each of these offenses. (Id. at 5:21 - 6:9). The Applicant also acknowledged that he was aware that these particular offenses are "strike" offenses and classified as serious, and that as a result, he is ineligible for parole (due to the trafficking offense) and must serve eighty-five percent (85%) of his sentence. (Id. at 8:19 - 9:22). The Applicant was advised of and waived his right to a jury trial and accompanying constitutional rights, such as the right to confront witnesses and the right to remain silent. (Id. at 7:14 - 18). The Applicant also told the Court that he discussed the negotiated plea

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with his lawyer and had sufficient time to think about it. (Id. at 11: 9-11). The Applicant further stated that he was satisfied with his attorney's services. (Id. at 6: 10 -11). Finally, the Applicant testified that it was his decision to enter into the negotiated plea with the State. (Id. at 11: 12-14).

In light of the foregoing, this Court finds that Applicant has failed to meet his burden of proof in establishing that the plea was involuntary. The Applicant had a full understanding of the consequences of his plea and the charges against him, and the plea court correctly found Applicant's plea was freely, voluntarily, knowingly, and intelligently made. Additionally, the Applicant was represented by competent counsel at the plea. Plea Counsel conducted a proper investigation, adequately conferred with the Applicant, and provided thorough representation. Plea counsel demonstrated the normal degree of skill, knowledge, professional judgment, and representation that are expected of an attorney who practices criminal law in South Carolina. State v. Pendergrass, 270 S.C. 1, 5, 239 S.E.2d 750, 752 (1977). Accordingly, this allegation must be denied and dismissed with prejudice.

CONCLUSION

This Court finds and concludes that the Applicant has not established any constitutional violations or deprivations that would require the Court to grant his application. Counsel was not deficient and the Applicant was not prejudiced by counsel's representation. The Application is therefore denied and dismissed with prejudice.

The Court advises the Applicant that he must file and serve a notice of appeal within thirty days from the receipt of this Order if he wants to secure the appropriate appellate review. See Rule 203, SCACR. The Applicant has a right to an appellate counsel's assistance in seeking review of the denial of post-conviction relief; however, post-conviction relief counsel must serve and file a

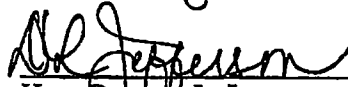
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Notice of Appeal on the Applicant's behalf pursuant to Rule 71.1(g), SCRCP. See Austin v. State, 305 S.C. 453 (1991). The Applicant is hereby directed to South Carolina Appellate Court Rule 243 for the appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

1. That this application for post-conviction relief must be denied and dismissed with prejudice; and
2. The Applicant must be remanded to and remain in the custody of the State

AND IT IS SO ORDERED this 26th day of August, 2018.



HON. DEANDRA L. JEFFERSON
Presiding Judge
Ninth Judicial Circuit

Charleston, South Carolina



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
IN THE COURT OF COMMON PLEAS

ANTWAN YOUNG, #297595

Applicant,

v.

STATE OF SOUTH CAROLINA,

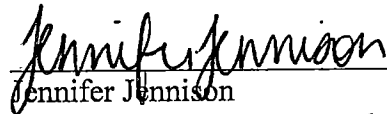
Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Order of Dismissal** has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

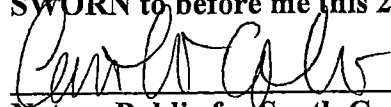
Christopher L. Murphy, Esquire
Murphy Law Offices, LLC
234 Seven Farms Drive, Suite 128
Charleston, SC 29492

This 26th day of October, 2018.



Jennifer Jennison
Legal Assistant for Respondent

SWORN to before me this 26th day of October, 2018.



Notary Public for South Carolina.
My Commission Expires: 5/20/2025

THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

NOV 14 2018

The Honorable Deadra L. Jefferson, Circuit Court Judge

S.C. SUPREME COURT

Case No.: 2017-CP-10-6171

Antwan Young, #297595 Appellant
v.
State of South Carolina Respondent

PROOF OF SERVICE

I certify that I have served APPELLANT'S NOTICE OF APPEAL by delivering a copy via U.S. Mail First-Class postage prepaid on the 8th day of November, 2018, on the following:

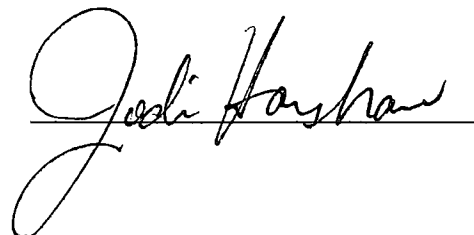
Kelly Oppenheimer, Esquire
Assistant Attorney General
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PO Box 11549
Columbia, SC 29201

The Honorable Deadra L. Jefferson
Charleston County Judicial Center
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Charleston, SC 29401-2236

The Honorable Julie J. Armstrong
Clerk of Court, Ninth Judicial Circuit
100 Broad Street, Suite 106
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Office of Appellate Defense
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 **RESNICK & LOUIS, P.C.**
ATTORNEYS AT LAW

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Clerk of South Carolina Supreme Court
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