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November 16, 2018

RECEIVED

NOV 20 2018

S.C. SUPREME COURT

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

RE: James D. Lloyd, #374726 v. State of South Carolina  
2017-CP-07-00854

Dear Mr. Shearouse:

Please find enclosed a Notice of Appeal along with the accompanying Order for the above-referenced matter. By way of this letter I am copying the Office of Appellate of Defense, as I was appointed to represent Mr. Lloyd.

Best regards,

ASHLEY A. MCMAHAN  
ATTORNEY AT LAW

AAM

cc: James D. Lloyd  
Kelly Oppenheimer, Asst. Attorney General  
Lexington County Clerk of Court  
Office of Appellate Offense

STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

The Honorable Perry H. Gravely, Circuit Court Judge

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Case No. 2017-CP-32-00358

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James D. Lloyd, #374726, ..... Petitioner,

v.

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

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**NOTICE OF APPEAL**

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Applicant, James D. Lloyd, appeals the order of the Honorable R. Lawton McIntosh, dated October 9, 2018, and filed October 29, 2018.

NOV. 16, 2018



ASHLEY A. MCMAHAN, ESQUIRE

MAC | VANCE ATTORNEYS, LLC

PO Box 5501

West Columbia, SC 29171

803-219-1110

ashley@macvance.com

SC Bar No. 71676

ATTORNEY FOR APPLICANT

Opposing Counsel:

Kelly Oppenheimer, Asst, Attorney General

S.C. Attorney General's Office

PO Box 11549

Columbia, SC 29211-1549

STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM LEXINGTON COUNTY  
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**PROOF OF SERVICE**


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I, Ashley A. McMahan, certify that I have served the within Notice of Appeal on Respondent by depositing a copy of the same in the United States mail, postage prepaid, addressed to:

Kelly Oppenheimer, Asst, Attorney General  
S.C. Attorney General's Office  
PO Box 11549  
Columbia, SC 29211-1549

I further certify that all parties required by Rule to be served have been served.

NOV. 16, 2018

  
ASHLEY A. MCMAHAN, ESQUIRE  
MAC | VANCE ATTORNEYS, LLC  
PO Box 5501  
West Columbia, SC 29171  
803-219-1110

ORIGINAL

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )  
James D. Lloyd, #374726, )  
Applicant, )  
v. )  
State of South Carolina, )  
Respondent. )

IN THE COURT OF COMMON PLEAS  
FOR THE ELEVENTH JUDICIAL CIRCUIT

Case No. 2018-CP-32-00358

ORDER OF DISMISSAL

2018 OCT 29 AM 8:45  
S.A.M. COHEN  
CLERK OF COURT  
LEXINGTON, SC  
FILED

This matter comes before the Court by way of an application for post-conviction relief filed January 31, 2018, by James D. Lloyd (Applicant). The State (Respondent) made its Return, Partial Motion to Dismiss, and Motion for a More Definite Statement on April 24, 2018, requesting an evidentiary hearing be held on Applicant's allegations of ineffective assistance of counsel. Thereafter, on July 16, 2018, Applicant, through his counsel, filed an amendment to the application for post-conviction relief. An evidentiary hearing into the matter was convened on August 1, 2018, at the Lexington County Courthouse before the Honorable Perry H. Gravely. Applicant was present at the hearing and represented by Ashley A. McMahan, Esquire. Assistant Attorney General Kelly Oppenheimer of the South Carolina Attorney General's Office represented Respondent.

Following a thorough review of the record in its entirety, and the testimony and evidence presented at the evidentiary hearing, this Court finds Applicant has failed to establish any constitutional violations and denies this application with prejudice.

**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 Lexington County

Clerk of Court. During its September 2017 term, the Lexington County Grand Jury indicted Applicant for possession of an adulterant to defeat a drug test (2017-GS-32-03083) and possession with intent to distribute (PWID) methamphetamine (2017-GS-32-03087). Assistant Public Defender David M. Mauldin, of the Lexington County Public Defender's Office, represented Applicant on this charge. Assistant Solicitor Casey Rankin Smith, of the Eleventh Circuit Solicitor's Office, prosecuted the case. On December 5, 2017, Applicant appeared before the Honorable Grace G. Knie and pled guilty as indicted to possession of an adulterant to defeat a drug test. Applicant also waived presentment to the Grand Jury for one count of conspiracy to manufacture methamphetamine (2017-GS-32-03087) and pled guilty to that offense. The PWID charge was dismissed. Judge Knie accepted both pleas and sentenced Applicant to a term of imprisonment of three years, provided upon the service of two years, the balance would be suspended to two years' probation for possession of an adulterant to defeat a drug test and seven-and-a-half years, provided upon the service of two years, the balance would be suspended to two years' probation for conspiracy to manufacture methamphetamine. The sentences were to be served concurrently. Applicant did not appeal his plea or sentence.

#### **CURRENT APPLICATION**

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

1. Strickland -vs- Washington;
  - a. Ineffective counseling/Lawyer should of [sic] caught it.
2. Lockhart -vs- State; [and]
  - a. Newly discovered evidence.
3. Lomax -vs- State.
  - a. Wrong charges for which I'm held.



In his amendment to the application for post-conviction relief, filed by counsel, Applicant raises the following additional grounds:

1. Ineffective Assistance of Counsel:
  - a. Rushed the Applicant through to a guilty plea. Applicant was only in jail for about three weeks and saw [Counsel] once prior to guilty plea;
  - b. Told the Applicant that the Solicitor wasn't looking for any more time, Applicant took that to mean that he would be returning to probation and not going to SCDC; [and]
  - c. Did not go over Discovery with the Applicant. Did not address how Applicant could be charged for drugs that were not found on his property but on his neighbor's property.

At the evidentiary hearing, Applicant proceeded forward on the allegations raised in his amendment to the application for post-conviction relief.

#### **TESTIMONY PRESENTED AT THE EVIDENTIARY HEARING**

At the evidentiary hearing, Applicant testified on his own behalf. Respondent presented the testimony of Assistant Public Defender Mauldin (Counsel). This Court also had before it a copy of Applicant's plea transcript, the records of the Lexington County Clerk of Court, and Applicant's records from the South Carolina Department of Corrections.

During the evidentiary hearing, Applicant testified on his own behalf. Applicant testified he was in jail for less than a month before he pled guilty. He explained the plea happened so fast, he did not have time to think about it. He further testified he is innocent, and he is not guilty. He testified he admitted he willfully violated his probation, but that is the only thing of which he is guilty. He explained he would not have pled guilty because he is not guilty. Applicant also testified he was afraid of going to jail for failing his drug test. He further testified he told the plea court he was pleading freely, voluntarily, and knowingly. He elaborated, however, at the time, he did not feel as though he had a choice.



Applicant guessed the plea court reviewed his rights at trial with him. He testified he informed the plea court he understood each of his rights. He further testified he told the plea court understanding those right, he still wanted to plead guilty. He explained he had no knowledge of the process at the time and did not know what was going on. He further explained no one sat down and explained the process to him. He also testified Counsel did not explain his constitutional rights with him.

Applicant also testified Counsel told him the State was not asking for Applicant to serve any time and was not pushing for time. He explained based on this, he thought he would be going home to his family. He further explained he thought he would plead guilty in order to go home. Applicant testified Counsel explained the potential sentence to him, but assured him the State was not asking for time. He further testified he was simply trying to get home, and he had never been in trouble before. He elaborated he would not have pled guilty if he had known he would be serving time in prison.

Applicant testified he recalled the plea court reviewing the potential sentences for each charge with him. He further testified he was aware he was facing seven-and-a-half years. He elaborated he told the plea court he had no questions about the punishment he faced. He also testified he informed the plea court he was satisfied with Counsel.

He testified when he was arrested for these new charges, he was on probation for third-degree burglary, which was transferred to Lexington County. He also testified his probation agent arrived at his neighbor's house and found drugs, but they were not found at his house. He testified the agent also found a bottle in his neighbor's car. He elaborated, however, his probation agent came to his house for a home visit while he was asleep. He further elaborated the agent knocked on his door, but he did not answer. He testified when he woke up, the agent

A handwritten signature in black ink, appearing to be 'P.H.', is located at the bottom center of the page.

came into his house and found pills and baggies. Applicant further testified he did not discuss this version of events with Counsel. He testified he agreed with the facts as presented by the State at his plea, and he was given the opportunity to disagree with those facts.

Applicant further testified he did not see the evidence the State had against him; therefore, he did not know what the State had. He elaborated the evidence was never laid out for him. He further elaborated there were not drug tests, and law enforcement did not seize any drugs. He also testified law enforcement only seized some pills, with which his girlfriend was charged. He testified drugs were not found in his house.

Following Applicant's testimony, Applicant rested; and the State presented the testimony of Counsel. Counsel testified he has been practicing law since 1997 and has been practicing criminal law since 1999. He further testified he is currently employed with the Lexington County Public Defender's Office and has been since 2008.

Counsel testified he was appointed to represent Applicant on August 31, 2017. He testified Applicant was scheduled for an appearance on October 13, 2017, at which point Applicant was out on bond. He testified, however, the bondsman revoked Applicant's bond due to an unpaid parking ticket. He further testified at that October appearance, the State made a plea offer. He testified Applicant was incarcerated again in November, and they had their initial meeting on November 6, 2017. He explained this meeting was prior to Applicant's second court appearance and was held at the jail. He further testified at the initial meeting they reviewed the discovery, and Applicant indicated he wanted to plead guilty. He testified they also discussed the elements of each of the charges, as well as potential sentences. He further testified he provided Applicant with a copy of the discovery. Counsel also testified on November 29, 2017, Applicant was again scheduled to appear in court.



Counsel testified Applicant was on probation for third-degree burglary. He also testified Applicant never denied using a "whizzinator" to defeat a drug test while on probation. Counsel further testified Applicant's probation agent served a search warrant at Applicant's house. He explained a lot of people were in and out of that home, cooking methamphetamine. He further explained Applicant used the methamphetamine made. He testified in executing that search warrant, the agent found pills, methamphetamine, used acid generators, pseudoephedrine, and a truck outside of the home that contained a meth lab. He further testified Applicant never indicated he was not staying at that home, and Applicant admitted the items found in the house were his. Counsel testified Applicant also never denied the drugs were his. He also testified Applicant's girlfriend was charged in connection with the items found at the home.

He also testified he and Applicant did not discuss challenging the statement Applicant made to law enforcement, because Applicant never denied making the statement. He further explained Applicant never denied ownership of the items found in the house. Counsel also testified he and Applicant did review the incident report, the plea offer, and the advantages and disadvantages of a plea or of a trial.

Counsel testified he informed Applicant the State was not taking a position on sentencing, and he would ask for probation. He further testified he tells all of his clients they may get some prison time, and it is within the judge's discretion. Counsel testified he explained to Applicant he might have to serve some time, but estimated it would be approximately one to two years. Counsel testified Applicant understood this. He further testified Applicant was aware of the range of sentences he was facing on each charge. He testified Applicant's major complaint was regarding prison time or probation.



He also testified he reviewed the plea offer with Applicant, and Applicant indicated he wanted to plead. He testified he reviewed Applicant's rights at trial with him. He explained Applicant never indicated he wanted to proceed to trial. Indeed, Applicant never stated he did not want to plead guilty. Counsel further explained this was going to be a plea from the outset. He testified he neither forced nor rushed Applicant to plead guilty.

### **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).

Applicant's allegations are two-fold: (1) ineffective assistance of counsel for informing Applicant he would not have to serve any amount of time in prison and for failing to review the discovery with Applicant and (2) involuntary guilty plea, in that Counsel rushed Applicant to plead guilty. On these claims, this Court finds Applicant has wholly failed to meet his burden.

#### ***Ineffective Assistance of Counsel***

In a post-conviction relief action, an applicant has the burden of proving the allegations in the application. Rule 71.1(e), SCRPC; *Butler v. State*, 286 S.C. 441, 334 S.E.2d 813 (1985). When an applicant 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. 441, 334 S.E.2d 813.

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. *Butler*, 286 S.C. 441, 334 S.E.2d 813. The applicant must overcome this presumption to receive relief. *Cherry v. State*, 300 S.C. 115, 386 S.E.2d 624 (1989).

Courts use a two-pronged test in evaluating allegations of ineffective assistance of counsel. First, the applicant must prove counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under professional norms." *Cherry*, 300 S.C. at 117, 385 S.E.2d at 625 (citing *Strickland*). Second, counsel's deficient performance must have prejudiced the applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." *Cherry*, 300 S.C. at 117-18, 386 S.E.2d at 625. In order to satisfy the prejudice prong of this test following a guilty plea, the applicant "must show that there is a reasonable probability that, but for counsel's errors, he would not have pleaded guilty and would have insisted on going to trial." *Hill v. Lockhart*, 474 U.S. 52, 59 (1985).

After careful review based on the standard discussed above, this Court finds 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.

*Counsel's alleged promise to Applicant regarding his sentence*

Applicant contends Counsel was ineffective for assuring Applicant the State was not seeking "any more time." Specifically, Applicant argues in this assurance, Counsel informed Applicant he would not be required to serve any prison time.

*FW*

This Court finds Applicant has failed to establish any deficiency on the part of Counsel. Applicant testified Counsel informed him the State was neither asking for nor pushing for Applicant to serve any prison time. Applicant elaborated because of this, he believed he would be going home after pleading guilty. On the other hand, Counsel testified he reviewed the potential sentences with Applicant, specifically reviewing with Applicant he faced up to seven-and-a-half years. Counsel further testified Applicant was fully aware of the potential sentences he faced. Additionally, Counsel testified though he told Applicant he believed he would have to serve one to two years in prison, he explicitly informed Applicant sentencing was within the plea court's discretion. This Court finds Counsel's testimony with respect to this allegation very credible, whereas Applicant's testimony is not credible. Accordingly, this Court finds Applicant has failed to prove Counsel was deficient.

Similarly, this Court finds Applicant has ~~wholly~~ failed to establish any prejudice as a result of this alleged deficiency. 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); *Clark v. State*, 259 S.C. 378, 192 S.E.2d 209 (1972). The courts normally have no discretion to correct a sentence given within statutory limits. To be entitled to relief, the applicant must prove 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*, 259 S.C. 378, 192 S.E.2d 209; *State v. Cogdell*, 273 S.C. 563, 257 S.E.2d 748 (1979).

Here, Applicant pled guilty to conspiracy to manufacture methamphetamine and possession of an adulterant to defeat a drug test. Upon conviction of first offense conspiracy to manufacture methamphetamine, the defendant "must be sentenced to a term of imprisonment of not more than fifteen years." S.C. Code Ann. § 44-53-375(B)(1). For this offense, Applicant

was sentenced to a term of imprisonment of seven-and-a-half years, provided upon the service of two years, the balance would be suspended to two years' probation. The sentence Applicant received was well within the sentencing range prescribed. Additionally, a person convicted of first offense possession of an adulterant to defeat a drug test must be "imprisoned not more than three years." S.C. Code Ann. § 16-13-470(B)(1). For this offense, Applicant was sentenced to a term of imprisonment of three years, provided upon the service of two years, the balance would be suspended to two years' probation. This sentence was well within the statutory limits. Accordingly, this allegation must be denied and dismissed with prejudice.

*Counsel's alleged failure to review discovery with Applicant*

Applicant further contends Counsel was ineffective for failing to review the discovery with him. Specifically, Applicant alleges Counsel was ineffective for failing to "address how Applicant could be charged for drugs that were not found on his property but on his neighbor's property." Applicant testified he never reviewed the discovery with Counsel and did not know what evidence the State had against him. He further testified the drugs were not found at his house, but rather at his neighbor's house. Counsel, however, testified he reviewed the discovery materials with Applicant. He further testified the drugs were found in Applicant's home, and Applicant neither denied staying at the home at the time nor denied ownership of the drugs. This Court finds Counsel's testimony with respect to this allegation very credible, whereas Applicant's testimony is not credible. Based on the foregoing, this Court finds Applicant has wholly failed to establish Counsel was deficient. Additionally, because the drugs were indeed found on Applicant's property, any conversation with Applicant regarding his culpability for drugs found on his neighbor's property, would be unnecessary. This Court, therefore, finds

Applicant has failed to establish any resulting prejudice from this alleged deficiency. This allegation must be denied and dismissed with prejudice.

### *Involuntary Guilty Plea*

Applicant further alleges his guilty plea was not voluntarily made. Specifically, Applicant alleges he was rushed into a plea by Counsel. This Court finds Applicant's guilty plea was freely and 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. *Roddy v. State*, 339 S.C. 29, 528 S.E.2d 418 (2000). Voluntariness of a guilty plea is not merely determined by an examination of a specific inquiry by the plea court alone but rather is determined by the record of both the guilty plea proceeding and the post-conviction relief hearing. *Id.* In order to find a guilty plea was knowingly and voluntarily entered into, 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 (1969). Further, "[a] guilty plea is a solemn, judicial admission of the truth of the charges" against the applicant; thus, 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)). Therefore, 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)); *Edmonds v. Lewis*, 546 F.2d 566 (4th Cir. 1976).

This Court finds this allegation is without merit, and Applicant has failed to carry his burden of proving his guilty plea was involuntarily made. This Court further finds Applicant's plea was entered into freely and voluntarily. The record before this Court reflects the plea court

thoroughly reviewed all of Applicant's constitutional rights with him, including his right to a jury trial. Tr. 5. Applicant indicated he understood his constitutional rights and, understanding those rights, still wanted to enter a guilty plea. Tr. 5. Applicant further indicated no one had promised him anything, threatened him, or coerced him in order to get him to plead guilty. Tr. 7. Additionally, Applicant indicated he was entering these guilty pleas freely, knowingly, and voluntarily. Tr. 8.

Applicant testified he had no time to think about whether or not he wanted to plead guilty and felt he had no other choice but to plead guilty. On the other hand, Counsel testified he reviewed all discovery materials with Applicant and reviewed all of the elements which the State would be required to prove at trial, the potential punishments, and his constitutional rights with Applicant. As aforementioned, despite Applicant's contention he believed he would be going home after his guilty plea, Counsel made Applicant thoroughly aware of the amount of time he was facing with respect to each charge. Counsel further testified after his discussions with Applicant, Applicant decided to plead guilty. Indeed, Applicant indicated from the outset he wished to plead guilty and never indicated he want to proceed to trial. Furthermore, Counsel testified he did not rush Applicant to plead guilty. This Court finds Counsel's testimony with respect to this allegation very credible, whereas Applicant's testimony is not credible.

Therefore, this Court finds 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, and intelligently made. Consequently, this allegation must be denied and dismissed with prejudice.

## CONCLUSION


Based on all the foregoing, this Court finds and concludes 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 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 if the applicant wishes to seek appellate review, post-conviction relief counsel must serve and file a notice of appeal on Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for 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 9<sup>th</sup> day of Oct., 2018.

  
PERRY H. GRAVELLY  
Presiding Judge  
Eleventh Judicial Circuit

Pichens, South Carolina

FORM 4

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

JUDGMENT IN A CIVIL CASE  
CASE NUMBER 2018CP3200358

James Dustin Lloyd 374726

South Carolina State of

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for:  Plaintiff  Defendant  
 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

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.**

Circuit Court Judge

Judge Code

10/26/2018

Date

For Clerk of Court Office Use Only

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

Ashley A. McMahan  
PO Box 5501 West Columbia, SC 29169

Kelly Oppenheimer  
Rembert C. Dennis Building  
PO Box 11549 Columbia, SC 29211

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ATTORNEY(S) FOR THE PLAINTIFF(S)

---

ATTORNEY(S) FOR THE DEFENDANT(S)

*Lisa M Comer* / m.h

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Court Reporter

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Lisa M. Comer - 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-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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**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.

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

