

STATE OF SOUTH CAROLINA
In the Supreme Court

CERTIORARI TO WILLIAMSBURG COUNTY
Clifton Newman, Trial Judge
D. Craig Brown, Post-Conviction Relief Judge

Appellate Case No. 2017-002179

JASON THOMAS BOSTON,

RECEIVED

NOV 21 2018

S.C. SUPREME COURT

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

RETURN TO PETITION FOR WRIT OF CERTIORARI

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General
S.C. Bar No. 100108

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

ATTORNEYS FOR RESPONDENT

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STATEMENT OF ISSUES

- I. **Did the post-conviction relief court properly determine Petitioner failed to establish trial counsel was constitutionally ineffective in deciding not to present Petitioner's mother as an alibi witness where trial counsel interviewed his mother prior to trial and determined her testimony would not be sufficient to establish an alibi for the crime and trial counsel wanted to preserve the right to the final closing argument?**

- II. **Did the post-conviction relief court properly determine Petitioner failed to establish trial counsel was constitutionally ineffective for not objecting to a portion of the State's closing argument referencing the victim's Latino heritage and inability to fluently speak English where these arguments were reasonably tailored to the facts presented at trial and did not affect the outcome of trial?**

STATEMENT OF THE CASE

Petitioner Jason Thomas Boston is presently confined in the South Carolina Department of Corrections serving an eleven-year sentence following his conviction in Williamsburg County. During its May 2014 term, the Williamsburg County Grand Jury indicted Petitioner for armed robbery and possession of a weapon during the commission of a violent crime stemming from an incident on the evening of March 14, 2014, where Petitioner, while armed with a handgun, stole the wallet and cell phone from Luciano Garcia outside his home in Williamsburg County (2014-GS-45-0120). He was represented on these charges by M. Amanda Shuler, Esquire. Assistant Solicitor Kimberly Barr of the Third Circuit Solicitor's Office prosecuted the case on behalf of the State.

On April 1, 2015, Petitioner proceeded to a jury trial in the Williamsburg County Court of General Sessions before the Honorable Clifton Newman, circuit court judge. During trial, the State presented testimony from two eyewitnesses, Sharhonda Burgess and LaToya Hickson, that both rode to the victim's house with Petitioner, witnessed the armed robbery, and subsequently identified Petitioner as the robber. (App. 62, 69-77, 90-92, 133-38, 144-45). The victim, the only other witness to the crime, also testified but could not identify the robber other than a general description of an African-American man in his twenties. (App. 110). The first responder who arrived on the scene testified he received the dispatch call reporting an armed robbery at approximately 8:30 p.m. (App. 166-67). The day after the robbery, March 15, 2014, Petitioner sold the stolen cell phone back to the victim's friend for \$100. (App. 140-41). Petitioner had been using the phone as his own personal phone since the robbery (App. 142).

Following a two-day trial, the jury convicted Petitioner of armed robbery but acquitted him of possession of a weapon during the commission of a violent crime. Judge Newman sentenced Petitioner to eleven years' imprisonment for armed robbery.

Petitioner filed a timely notice of appeal and an appeal was perfected on his behalf by Appellate Defender Kathrine H. Hudgins of the South Carolina Commission on Indigent Defense. Appellate counsel submitted a brief of appellant pursuant to Anders v. California, 386 U.S. 738 (1967), arguing the trial court erred in allowing the trial to proceed forward when only thirty of the two-hundred jurors summoned appeared for jury selection, and asking to be relieved as counsel for Petitioner. Thereafter, Petitioner filed a *pro se* brief of appellant, arguing "was counsel ineffective assistance in failing to object to the witness inconsistent statement regarding the victim wallet being stolen by defendant and thrown out the car's window." Following a review pursuant to Anders, the South Carolina Court of Appeals dismissed the appeal and granted appellate counsel's motion to be relieved on December 7, 2015. State v. Jason Thomas Boston, 2016-UP-503 (Ct. App. filed Dec. 7, 2016). The Remittitur was returned to the circuit court on December 28, 2016. ¹

On January 30, 2017, Petitioner filed a *pro se* application for post-conviction relief (2017-GS-45-00184), alleging the following grounds for relief:

1. Ineffective assistance of counsel.
 - a. "witness inconsistent statements/trial counsel failed to object thereto."

On June 22, 2017, Respondent filed its return to the application and requested an evidentiary hearing on the application. An evidentiary hearing was convened July 24, 2017, before the

¹ The records from Petitioner's direct appeal were not included in the Appendix. As these were before the lower court, these records should have been included in the Appendix pursuant to Rule 243(f)(1), SCACR.

Honorable D. Craig Brown, circuit court judge. Petitioner was present alongside counsel Lance S. Boozer, Esquire. Respondent was represented by Assistant Attorney General Julie A. Coleman of the South Carolina Attorney General's Office. At the start of the hearing, Petitioner orally amended his application to include allegations that trial counsel was ineffective for failing to call his mother, Mary Pressley, as an alibi witness and for failing to object to a portion of the State's closing argument; the State did not object to these oral amendments. Petitioner testified on his own behalf and presented testimony from his mother and trial counsel Shuler. At the conclusion of the evidentiary hearing, Judge Brown took the matter under advisement to review all the materials and evidence presented.

Thereafter, Judge Brown denied relief, and, on August 15, 2017, issued a written order denying the application in full. This order was filed with the Williamsburg County Clerk of Court on October 3, 2017.

STANDARD OF REVIEW

The standard of review for post-conviction relief matters depends on the specific issues before the appellate court. Smalls v. State, 422 S.C. 174, 810 S.E.2d 836, 839 (2018). When reviewing factual findings, the appellate courts defer to the post-conviction relief court's factual findings and will uphold them if there is probative evidence in the record to support them. Buckson v. State, 423 S.C. 313, 320, 815 S.E.2d 436, 440 (2018); Smalls, 422 S.C. at 180-81, 810 S.E.2d at 839-40 (citing Sellner v. State, 416 S.C. 606, 610, 787 S.E.2d 525, 527 (2016); Jordan v. State, 406 S.C. 443, 448, 752 S.E.2d 538, 540 (2013)). However, pure questions of law will be reviewed *de novo* without deference to the lower court. Smalls, 422 S.C. at 180-81, 810 S.E.2d at 839-40. Appellate courts will reverse the decision of the post-conviction relief court when it is controlled by an error of law. Goins v. State, 397 S.C. 568, 573, 726 S.E.2d 1, 3 (2012).

ARGUMENT

On appeal, Petitioner argues the post-conviction relief court erred in denying him relief as to two of his allegations: first, that trial counsel was ineffective for failing to present his mother as an alibi witness; and second, that trial counsel was ineffective for failing to object to a portion of the State's closing argument referencing the victim's Latino heritage and his inability to speak English fluently as likely reasons he was targeted for this robbery. Petitioner argues both of these errors or omissions by trial counsel rise to the level of constitutional ineffectiveness and warrant the reversal of his armed robbery conviction and a remand for retrial. The post-conviction relief court properly found Petitioner did not meet his requisite burden of proof as to either allegation.

Petitioner, like all other defendants, has a right to the assistance of effective counsel as provided by the Sixth Amendment to the United States Constitution. U.S. Const. amend. VI; Strickland v. Washington, 466 U.S. 668 (1984); Lomax v. State, 379 S.C. 93, 665 S.E.2d 164 (2008). Petitioner has the burden of proving the allegations in his post-conviction relief action, and when alleging that trial counsel was constitutionally ineffective, he must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that it cannot be relied upon as having produced a just result." Strickland, 466 U.S. at 686

In evaluating allegations of ineffective assistance of counsel, the reviewing court applies the two-pronged test outlined in Strickland, 466 U.S. 668. First, Petitioner 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). The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases.

Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985). “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). Petitioner must overcome this presumption to receive relief. Cherry, 300 S.C. at 118, 386 S.E.2d at 625. Second, counsel’s deficient performance must have prejudiced Petitioner such that “there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.” Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625. The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. A court need not first determine whether counsel’s performance was deficient before examining the prejudice suffered by the defendant as a result of the alleged deficiencies. If it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, that course should be followed. Strickland, 466 U.S. 668.

Moreover, Strickland does not require a finding of ineffectiveness merely for deviation from some rigid rule of representation. Rather, Strickland requires the post-conviction relief applicant to prove “counsel made errors so serious that counsel was not functioning as the ‘counsel’ guaranteed the defendant by the Sixth Amendment.” Id. at 697. Therefore, the function of the post-conviction relief court is to determine if “in light of all the circumstances, the identified acts or omissions were outside the wide range of professional competent assistance” required of a criminal defense attorney.” Id. at 690.

Petitioner failed to meet this high burden of proof required of him as to either allegation, and, accordingly, the post-conviction relief court properly denied relief. This Court should deny certiorari.

- I. **The post-conviction relief court properly determined Petitioner failed to establish trial counsel was constitutionally ineffective in deciding not to present Petitioner's mother as an alibi witness where trial counsel interviewed his mother prior to trial and determined her testimony would not be sufficient to establish an alibi for the crime and trial counsel wanted to preserve the right to the final closing argument.**

On appeal, Petitioner argues trial counsel should have presented his mother, Mary Pressley, as an alibi witness. In support of this allegation, Petitioner and his mother testified at the evidentiary hearing and claimed Petitioner was at his mother's house from approximately 6:00 p.m. until 11:00 p.m. on the evening of the robbery, which occurred shortly at approximately 8:30 p.m. Despite acknowledging that there was concern over whether testimony of his mother would have covered the time of the crime, Petitioner nonetheless argues the result of his trial would have been different had counsel presented his mother in support of an alibi defense because the two eyewitnesses who identified Petitioner (both of whom had known Petitioner on a close personal level for years) were "noncredible" and the victim was unable to identify him as the robber. See PWC 5 ("Clearly, petitioner's alibi defense was plausible despite the concern of the minutes count and it should have been presented to the jury as a defense at trial."). The post-conviction relief court properly rejected these arguments and denied relief, finding trial counsel credibly testified as to her strategic reasons for electing not to present an alibi defense, including a lack of a true alibi due to time gaps making it possible for Petitioner to have committed the crime and her desire to have the final closing argument to the jury, and finding the testimony from Petitioner and his mother was not credible. These factual determinations by the post-conviction relief court are supported by the record, and according to the any evidence standard, must be afforded a deferential standard of review by this Court. See Buckson, 423 S.C. at 320, 815 S.E.2d at 440 ("Under the proper standard of review, the appellate court's 'view' must be limited to whether there is probative evidence to support the PCR court's

factual findings.”).

At the post-conviction relief hearing, Petitioner presented his mother, Mary Pressley, as a witness. She testified Petitioner was at her home from “a little before 6” until “[a]round about 11, 10:30, 11, somewhere in there” on the night of the crime and that she could visually account for his whereabouts at all times other than when she used the bathroom. (App. 307-09, 316). She testified she spoke with trial counsel prior to trial and provided this information accounting for her son’s whereabouts during the time the robbery occurred. (App. 306, 310). She testified she was present at Petitioner’s trial, anticipated she would be testifying, and therefore, was sequestered during trial. (App. 309). She testified she was ultimately not called as a witness and trial counsel told her that was so counsel could “speak[] last.” (App. 310-11).

Petitioner also testified at the evidentiary hearing and claimed he was at his mother’s home from 6:00 p.m. until 11:00 p.m. on the evening in question. (App. 295-96, 302). He testified he informed trial counsel of this and thought he would be presenting his mother in support of an alibi defense at trial. (App. 294-98, 300-02). He testified trial counsel told him that they would not be calling his mother to preserve the last argument but that he did not understand what that meant. (App. 298).

Unfortunately for Petitioner, the versions of events he and his mother presented at the post-conviction relief hearing were quite different from what he presented to the trial court during sentencing. During sentencing, Petitioner’s mother addressed the trial court on her son’s behalf and stated, “I don’t know what happened during that time . . .” (App. 237). She then proceeded to tell the court about the family feud between Petitioner’s family and LaToya Hickson’s family for years and implied Petitioner had been framed by LaToya for the crime. (App. 237-39). Despite telling the trial court she was “willing to bet [her] life that was not him,”

Petitioner's mother never informed the court she was with Petitioner that evening or otherwise accounted for his whereabouts. (App. 238). Petitioner then told the trial court he was at his aunt's house on Randolph Street during the time of the crime. (App. 240-42). Neither Petitioner nor his mother informed the trial court that Petitioner was at his mother's house during the time of the robbery.

The testimony of Petitioner and his mother was also different than the version of events trial counsel recalled and her notes reflected from pre-trial meetings. Trial counsel testified she met with Petitioner's mother prior to trial and filed an alibi notice in anticipation of presenting her testimony during trial. (App. 323). However, she testified she ultimately did not present Petitioner's mother as an alibi witness because his mother said Petitioner left her house between 8:00 p.m. – 8:45 p.m., and therefore, "because of the discrepancy in the time frame whenever she told me she had left, [she] was uncomfortable with calling her to the witness stand." (App. 324). She acknowledged she told the trial court that she did not call Petitioner's mother as a witness to preserve the final argument to the jury, but that was only part of the reason and she did not want to inform the court immediately prior to sentencing that Petitioner's whereabouts during the time the crime occurred were unaccounted for. (App. 326-29).

After observing the witnesses at the evidentiary hearing, the post-conviction relief court made detailed credibility findings as to Petitioner's purported alibi. The court found trial counsel's testimony that Petitioner's mother informed her that he left the house at approximately 8:00 p.m. to be very credible and that Petitioner's mother's testimony that Petitioner was at her home until after 11:00 p.m. was not credible. The court further found counsel's testimony that she did not present Petitioner's mother as an alibi witness based on the gap of time between when Petitioner purportedly left his mother's house and the crime was credible. These credibility

findings are supported by the record and should be afforded great weight by this Court. See Frierson v. State, 423 S.C. 257, 262, 815 S.E.2d 433, 435 (2018) (“[W]e afford great deference to a PCR court’s credibility findings.”); Walker v. State, 407 S.C. 400, 407, 756 S.E.2d 144, 147 (2014) (noting questions concerning the weight and believability of alibi witnesses is solely within the province of the post-conviction relief court). These findings alone are enough to support the post-conviction relief court’s ruling, and this Court should deny certiorari.

Additionally, the post-conviction relief court found trial counsel articulated a valid trial strategy in electing not to call Petitioner’s mother based on the gap in time of Petitioner’s purported alibi and to preserve the final argument. Both of these factual findings are supported by the record.

“In most PCR cases in which the applicant seeks relief for trial counsel’s failure to call witnesses, the PCR court’s analysis—and the analysis by the appellate court—is focused on the strategic considerations of counsel in balancing the potential benefits of calling a particular witness against the identifiable risks.” Buckson, 423 S.C. at 320–21, 815 S.E.2d at 440 (citing Edwards v. State, 392 S.C. 449, 457, 710 S.E.2d 60, 64-65 (2011) (deferring to trial counsel’s strategic considerations); Jackson v. State, 329 S.C. 345, 350, 495 S.E.2d 768, 770-71 (1998) (same); Stokes v. State, 308 S.C. 546, 548, 419 S.E.2d 778, 779 (1992) (same)). “A PCR court’s analysis of counsel’s strategic decisions must be ‘highly deferential’ to counsel’s judgment, and ‘a fair assessment of attorney performance requires that every effort be made to eliminate the distorting effects of hindsight.’ ” Buckson, 423 S.C. at 321, 815 S.E.2d at 440 (quoting Strickland, 466 U.S. at 689)). “[A] court must indulge a strong presumption that counsel’s conduct falls within the wide range of reasonable professional assistance.” Id.

Prior to trial, the information trial counsel had was that the crime occurred around 8:30

p.m. and Petitioner's whereabouts could not be accounted for around that same time period. Based on this information, trial counsel properly determined Petitioner did not have a valid alibi defense because it was not physically impossible for him to have committed the crime. See Glover v. State, 318 S.C. 496, 498, 458 S.E.2d 538, 540 (1995) (“[S]ince an alibi derives its potency as a defense from the fact that it involves the physical impossibility of the accused's guilt, a purported alibi which leaves it possible for the accused to be the guilty person is no alibi at all.” (citing State v. Robbins, 275 S.C. 373, 271 S.E.2d 319 (1980))). Therefore, trial counsel's decision not to present an alibi defense based on the information available to her was reasonable trial strategy, particularly when doing so would have cost Petitioner the final argument. In conclusion, the post-conviction relief court properly denied relief, as Petitioner failed to establish any constitutional ineffectiveness of counsel for electing not to present Petitioner's mother as a witness. These findings are supported by the record. Certiorari should be denied.

II. The post-conviction relief court properly determined Petitioner failed to establish trial counsel was constitutionally ineffective for not objecting to a portion of the State's closing argument referencing the victim's Latino heritage and inability to fluently speak English where these arguments were reasonably tailored to the facts presented at trial and did not affect the outcome of trial.

Petitioner argues the post-conviction relief court erred in refusing to find trial counsel ineffectively for failing to object to a portion of the State's closing argument wherein the prosecutor references that the victim is Latino and does not speak English, then inferred this was a possible reason he was targeted by Petitioner. Petitioner asserts this line of argument from the State improperly placed his character in issue and trial counsel should have objected. The post-conviction relief court rejected this argument, finding the argument was reasonably based on the circumstances of the crime and a possible motive, both of which were proper. The court also found these comments could not have possibly affected the outcome of the trial, noting that two

eyewitnesses observed the crime and identified Petitioner as the perpetrator. These findings are supported by the record and are not controlled by an error of law. This Court should deny certiorari.

“A solicitor’s closing argument must be carefully tailored so as not to appeal to the personal biases of the jury.” Brown v. State, 383 S.C. 506, 515-16, 680 S.E.2d 909, 914-15 (2009) (citing Von Dohlen v. State, 360 S.C. 598, 609, 602 S.E.2d 738, 744 (2004)). “The argument must not be calculated to arouse the jurors’ passions or prejudices, and its content should stay within the record and reasonable inferences that may be drawn therefrom.” Id. at 609–10, 602 S.E.2d at 744. “While the solicitor should prosecute vigorously, his duty is not to convict a defendant but to see justice done.” State v. Northcutt, 372 S.C. 207, 222, 641 S.E.2d 873, 881 (2007) (quoting State v. Linder, 276 S.C. 304, 312, 278 S.E.2d 335, 339 (1981)). “The solicitor’s closing argument must, of course, be based on this principle.” Id. Importantly though, the solicitor is generally permitted to use his opportunities to speak directly to the jurors to appeal to them to do their full duty in enforcing the law, urge them to return the verdict desired by the prosecution, employ any legitimate means of impressing upon them their responsibilities, and “dwell on the evil results of crime[.]” State v. Durden, 264 S.C. 86, 92, 212 S.E.2d 587, 590 (1975) (citation and internal quotations omitted).

A reviewing court will “view the alleged impropriety of the solicitor’s argument in the context of the *entire record*, including whether the trial judge’s instructions adequately cured the improper argument and whether there is overwhelming evidence of the defendant’s guilt.” Simmons v. State, 331 S.C. 333, 338, 503 S.E.2d 164, 166 (1998). “Improper comments do not automatically require reversal if they are not prejudicial to the defendant, and the appellant has the burden of proving he did not receive a fair trial because of the alleged improper argument.”

Humphries v. State, 351 S.C. 362, 373, 570 S.E.2d 160, 166 (2002). “The relevant question is whether the solicitor's comments so infected the trial with unfairness as to make the resulting conviction a denial of due process.” Id.; see State v. Hornsby, 326 S.C. 121, 129, 484 S.E.2d 869, 873 (1997) (“A denial of due process occurs when a defendant in a criminal trial is denied the fundamental fairness essential to the concept of justice.”).

Here, the specific portion of the State’s argument which Petitioner asserts was improper is as follows:

[The victim is] an easy target. And folks, I’ll just be candid, a lot of people like the defendant believe that people like the victims are easy marks because the victim can’t speak English. People come to the conclusion, and you know, he’s Hispanic or he’s from Mexico and probably here illegally, they’re not gonna call the police, they’re not gonna call the police because, you know, they’re afraid they’ll get deported so they’re an easy mark. And surely if he calls the police, the police aren’t, you know, they’re not going to be worried about trying to investigate that or bring charges. And certainly, you know, heaven forbid the police investigate it and they report it. Well, I mean, they’re not gonna be around when it comes to trial time. And surely, surely the State is not gonna go through the expense of getting an interpreter and having all these people come up here and try this case. And what he’s also counting on most assuredly, the jury is not going to convict him for that, surely will not.

(App. 193-94). Immediately before this portion of argument, the prosecutor referenced LaToya’s damage to the truck, which amounted to malicious injury to personal property, and that the victim and his friend had not called law enforcement for assistance. (App. 191-93). When asked why she did not object to this portion of the State’s argument, counsel testified she did not find it objectionable.

The post-conviction relief court agreed, finding the argument was reasonably tailored to the facts of this case and within the permissible bounds the limits of closing argument. See State v. Pitts, 256 S.C. 420, 428, 182 S.E.2d 738, 742 (1971) (“The solicitor had a perfect right to state his version of the testimony and to comment on the weight that should be given to such.”);

Humphries, 351 S.C. at 373, 570 S.E.2d at 166 (“A solicitor has a right to state his version of the testimony and to comment on the weight to be given such testimony.”); Herring v. New York, 422 U.S. 853, 862 (1975) (recognizing a closing argument allows the parties to—amongst other things—“argue the inferences to be drawn from all the testimony”). This is supported by the record, as the victim was Latino, not a native English speaker, and had to testify with the assistance of a translator during trial. It also appeared Petitioner’s co-defendant LaToya had already committed unreported illegal acts against the victim and his family and friends earlier that day without any concern of recourse (including slashing the tires of the victim’s close friend and then taunting the victim as he tried to fix the tires). This portion of the State’s argument was based on facts properly in the record and reasonable inferences that could be drawn from those facts, and therefore, was proper.

Moreover, the post-conviction relief court properly determined any impropriety of the argument did not affect the outcome of the trial. Two eyewitnesses who had known Petitioner well for years testified they observed Petitioner approach the victim with a firearm, yell obscenities at him, and steal his wallet and cell phone. There is no reasonable likelihood this portion of the State’s closing argument had any impact on the outcome of Petitioner’s trial.

In conclusion, the post-conviction relief court properly found trial counsel was not constitutionally ineffective for not objecting to the State’s closing argument as the argument was proper and did not impact the outcome of the trial. This finding is supported by the record and is not an error of law. This Court should deny certiorari.

CONCLUSION

Because the post-conviction relief court properly determined Petitioner failed to establish any constitutional ineffectiveness as to either of Petitioner's allegations, this Court should deny certiorari. Should this Court grant certiorari, Respondent requests the opportunity to fully brief the issues raised.

Respectfully submitted,

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General
S.C. Bar No. 100108

By: 
ATTORNEYS FOR RESPONDENT

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

November 21, 2018

STATE OF SOUTH CAROLINA
In the Supreme Court

CERTIORARI TO WILLIAMSBURG COUNTY
Clifton Newman, Trial Judge
D. Craig Brown, Post-Conviction Relief Judge

Appellate Case No. 2017-002179

JASON THOMAS BOSTON,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.


PROOF OF SERVICE

I, Megan Harrigan Jameson, certify that I have served the within **Return to Petition for Writ of Certiorari** on Petitioner by depositing two copies of the same in the interagency mail to be delivered to Petitioner at the address below:

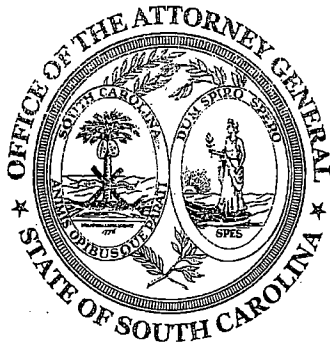
Deputy Chief Appellate Defender Wanda Carter
South Carolina Commission on Indigent Defense—Division of Appellate Defense
P.O. Box 11589
Columbia, South Carolina 29211-1589

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

This 21st day of November, 2018.


MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General
S.C. Bar No. 101260
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

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S.C. SUPREME COURT



ALAN WILSON
ATTORNEY GENERAL

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November 21, 2018

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S.C. SUPREME COURT

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

Re: Jason Thomas Boston v. State of South Carolina
Appellate Case No. 2017-002179

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Return to Petition for Writ of Certiorari, which is also being served on Petitioner. Please let me know if anything additional is needed.

Sincerely,

Megan Harrigan Jameson
Senior Assistant Deputy Attorney General
SC Bar No. 100108

MHJ/ks
Enclosures

cc: Wanda H. Carter, Esquire