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ATTORNEY AND COUNSELOR AT LAW

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November 29, 2018

The South Carolina Supreme Court
Clerk, Daniel Shearouse
P.O. Box 11330
Columbia, SC 29211

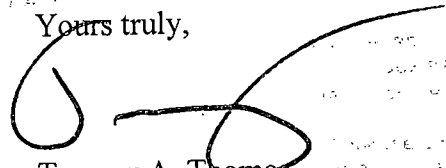
RE: Raymond White #276060 -v. State of South Carolina
Case No.: 2015-CP-10-4851

Dear Sir or Madam:

Enclosed please find for filing an original and copy of a Written Explanation Pursuant to Rule 243 (C) and Certificate of Service.

Kindly return the clocked copies to me in the enclosed envelope. Please feel free to contact me should you have any questions.

Yours truly,



Tommy A. Thomas,
Attorney at Law

TAT/jem
cc: Benjamin Limbaugh, Esq.
Raymond White #276060
Appellate Defense.

RECEIVED

DEC 04 2018

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Post Conviction Relief

Roger M. Young, Sr., Circuit Court Judge

Case No.: 2015-CP-10-4851

RECEIVED

DEC 04 2018

S.C. SUPREME COURT

Raymond White #276060,..... Petitioner,

vs.

State of South Carolina,Respondent.

WRITTEN EXPLANATION PURSUANT TO RULE 243 (C)

The Applicant filed an Application for Post-Conviction Relief on September 1, 2015. A Conditional Order of Dismissal was filed on August 8, 2016. Applicant filed a Return to the Conditional Order of Dismissal on August 19, 2016 and an Addendum to the Return to the Conditional Order of Dismissal was filed by the Applicant on August 3, 2017. A final Order was issued by the Court on October 22, 2018 and filed on October 23, 2018. The Applicant would respectfully Petition the Court stating that the Lower Court's determination for issuing the Final Order of Dismissal was improper.

1. The Applicant was represented by William L. Runyon, Esq. On June 18, 2001, the Applicant plead guilty to the following charges before the Honorable J. Michael Baxley: Assault and Battery with Intent to Kill (2001-GS-10-3976; Kidnapping (2001-GS-10-3977 and Criminal Sexual Conduct, 1st Degree (2001-GS-10-3978.

The Applicant was sentenced to confinement for twenty (20) years for the Assault and Battery with Intent to Kill, twenty five (25) years for the Kidnapping charge and twenty five (25) years from Criminal Sexual Conduct, 1st. These sentences were to be served concurrently. The Applicant was sixteen (16) years of age at the time of the Plea.

2. The Applicant was informed by Defense Counsel that if he plead guilty that he would get twenty five (25) years to run concurrently on all charges and that he would never serve more than half of this time.
3. After the plea and sentencing, the Applicant and Applicant's family were told by Defense Counsel that he would ensure that the Applicant got a sentence reduction.
4. The Applicant's family met with Senator Robert Ford on two or three occasions to discuss a possible reduction of sentence. They also met with Defense Counsel at the Court House and they were told that there was a possibility that they could speak with the sentencing Judge in between cases. That they actually appeared at the Court House, but were never able to meet with the Judge. This continued for a period of a number of years.
5. The Applicant's family would contact Defense Counsel to check on the progress of the sentence reduction and they were always told to call back tomorrow and that he would have information pertaining to the case. Defense Counsel was never able to produce any credible information to them regarding a sentence reduction.

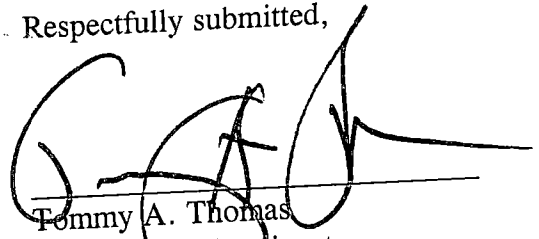
6. The Applicant's family would call Defense Counsel at least 2 or 3 times a week over the course of fifteen (15) years, because Counsel would tell them to call the next day. Unfortunately, he would be unavailable the next day to accept their call.
7. Both the Applicant and Applicant's family were instructed by Counsel to write letters to the victim and the family of the victim to apologize for the incident. These letters were given to Defense Counsel but the Applicant and his family are unsure if any of these letters were every sent.
8. In 2015, the Applicant's family met with Defense Counsel in his office to ask why nothing had happened over the last fifteen (15) years. Counsel got angry and demanded that they leave his office. It was at that point that both the Applicant and his family realized that nothing had been done, nor was anything going to be done on the Applicant's behalf.
9. It was after this meeting that the Applicant filed his Post-Conviction Relief Applicant, dated September 1, 2015.

That the Applicant is informed and believes that he is entitled to an Evidentiary Hearing and that the Court was in error in issuing its Conditional Order of Dismissal. This belief is based upon the fact that he was informed and believed that a sentence reduction was being pursued by his Defense Attorney. That the Applicant, as well as his family made numerous contact with Defense Counsel and was always informed that actions were being taken on his behalf. That they believed counsel and that they had no reason to doubt that he was not acting in their best interest. That it was only until 2015 when they were informed that nothing had

been filed on his behalf and that the Application for Post Conviction Relieve was filed on September 1, 2015.

The Applicant is informed and believes that due to the actions of Defense Counsel as well as his reliance upon representations made by counsel that he is entitled to an evidentiary hearing to present this evidence before the Lower Court as well as any and all issues regarding post conviction relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tommy A. Thomas', written over a horizontal line.

Tommy A. Thomas
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November 29, 2018

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Post Conviction Relief

Roger M. Young, Sr., Circuit Court Judge

Case No.: 2015-CP-10-4851

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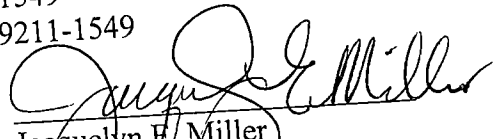
vs.

State of South Carolina,Respondent.

CERTIFICATE OF SERVICE

I, Jacquelyn E. Miller, secretary to Tommy A. Thomas, Attorney for the Petitioner hereby certify that I placed in the United States Mail, a copy of a Written Explanation Pursuant to Rule 243 (C), with postage prepaid and the return address clearly shown on said envelope to Benjamin Limbaugh, Esq. of the Attorney General's Office, at:

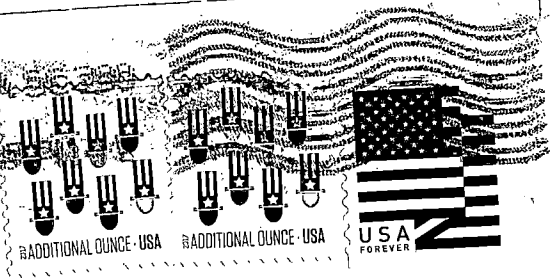
Benjamin Limbaugh, Esq.
Attorney General's Office
P.O. Box 11549
Columbia, SC 29211-1549


Jacquelyn E. Miller
Secretary to Tommy A. Thomas
Attorney for Petitioner
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09 OCT 2019



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