



RECEIVED
JAN 28 2019
S.C. SUPREME COURT

January 25, 2019

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

Re: Gowndell Cades vs. State of South Carolina
C/A No: 2015-CP-21-1303

Dear Mr. Shearouse:

Please find enclosed one (1) original and one (1) copy each of Applicant's Notice of Appeal and Certificate of Service in the above referenced case. I would appreciate you filing the original and returning the clocked copies in the enclosed envelope.

I was appointed to represent Mr. Cades in this matter and am also enclosing a copy of the Order of Dismissal. If you have any questions, please do not hesitate to ask. My telephone number is 803-520-7278.

Sincerely,

Jonathan D. Waller

Cc: Lindsey A. McCallister, South Carolina Office of Attorney General

Enclosures

Waller Law Group
1116 Blanding Street, Suite 2B
Columbia, SC 29201

803-520-7278
www.wallerlawgroup.com
jonathan@wallergroupsc.com

STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

APPEAL FROM FLORENCE COUNTY
Michael G. Nettles, Circuit Court Judge

JAN 28 2019

S.C. SUPREME COURT

2015-CP-21-1303

Gowndell Cades, # 197569,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Gowndell Cades, # 197569, appeals the Order of Dismissal denying his Application for Post-Conviction Relief filed January 16, 2019, issued by the Honorable Michael G. Nettles, Presiding Judge, Twelfth Judicial Circuit.



Jonathan D. Waller
Waller Law Group
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ATTORNEY FOR PETITIONER

January 25, 2019

Other Counsel of Record:
Lindsey A. McCallister, Assistant Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3319

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM FLORENCE COUNTY
Michael G. Nettles, Circuit Court Judge

2015-CP-21-1303

RECEIVED

JAN 28 2019

S.C. SUPREME COURT

Gowndell Cades, # 197569,

Appellant,

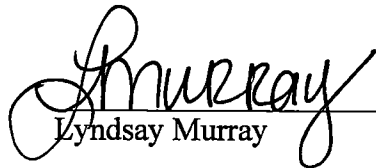
v.

STATE OF SOUTH CAROLINA,

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the Appellant's Notice of Appeal in the above-entitled case has been served upon opposing counsel, Lindsey A. McCallister, Assistant Attorney General, by mailing in an envelope properly addressed with postage prepaid on this day, to her office located at P.O. Box 11549, Columbia, SC 29211.


Lyndsay Murray

January 25, 2019

FORM 4

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

FILED

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2015CP2101303

Gowndell Cades	2019 JAN 16 PM 2: 57	South Carolina State Of
	DORIS POULOS O'HARA	

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

DISPOSITION TYPE (CHECK ONE)

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

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

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

ORDER INFORMATION

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

1/16/2019
 Date

For Clerk of Court Office Use Only

This judgment was entered on January 16, 2019, and a copy mailed first class or placed in the appropriate attorney's box on January 17, 2019, to attorneys of record or to parties (when appearing pro se) as follows:

CERTIFIED: A TRUE COPY
 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.
Doris Poulos O'Hara

Jonathan D Waller
1116 Blanding Street Suite 2B
Columbia, SC 29201

Samuel Leonard Key/ Lindsay McAllister
Rembert C. Dennis Building
1000 Assembly Street
Columbia, SC 29201

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Doris P. O'Hara

Court Reporter

Doris Poulos O'Hara - 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), SCRPC.

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.

FILED

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

) IN THE COURT OF COMMON PLEAS
) TWELFTH JUDICIAL CIRCUIT

2019 JAN 16 PM 2:12

Gowndell Cades, #197569,

) C.A. No. 2015-CP-21-1303

Applicant,

) DORIS BOULOS O'HARA
) CCJP & GS
) FLORENCE COUNTY, SC

) **ORDER OF DISMISSAL**

v.

State of South Carolina,

Respondent.

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed by Gowndell Cades (Applicant) on May 4, 2015. Respondent made its Return on November 18, 2016. An evidentiary hearing into the matter was convened on January 31, 2018, at the Florence County Courthouse before the undersigned. Jonathan Waller, Esquire, represented Applicant. Lindsey A. McCallister, Esquire, of the South Carolina Attorney General's Office, represented Respondent.

At the hearing, Applicant testified on his own behalf. Karen Parrott, Esquire, Applicant's trial counsel also testified. This Court also had before it a copy of the records of the Florence County Clerk of Court, Applicant's appellate records, records from the South Carolina Department of Corrections, the application, Respondent's Return, and the trial transcript.

PROCEDURAL HISTORY

Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the orders of commitment from the Florence County Clerk of Court. Applicant was indicted at the April 2013 term of the Florence County Grand Jury for one count of Arson, 3rd degree (2013-GS-21-00485). Karen Parrot, Esquire, represented him. On October 21-22, 2013, Applicant proceeded

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Doris Boullos O'Hara
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

to trial before The Honorable D. Craig Brown. The jury found Applicant guilty as indicted and Judge Brown sentenced Applicant to a term of imprisonment of fifteen years.

Applicant filed a timely notice of appeal. The appeal was perfected by Katherine Haggard Hudgins, Esquire, of South Carolina Commission on Indigent Defense - Appellate Defense Division. The South Carolina Court of Appeals affirmed Applicant's conviction March 1, 2015. State v. Cades, Op. No. 2015-UP-185 (S.C. Ct. App. 2015). The Remittitur was returned on April 28, 2015.

SUMMARY OF FACTS ADDUCED AT TRIAL

On November 19, 2012, Rachel Paul (Paul) was renting a mobile home on South Jeffords Street in Florence, in which she lived with her four children. Tr. pp. 34-35. Paul and Applicant were in a relationship, and Applicant was "in and out" of the home, though his name was not on the rental agreement. Tr. pp. 35-36. On the day of the fire, Paul and Applicant got into an argument, and Paul told Applicant she did not think their relationship was working out and asked him to leave the home. Tr. pp. 37-38. Applicant began demanding money he claimed Paul owed him, but Paul told him she did not know anything about it and left the bedroom. Tr. pp. 37-39.

Once Paul left the bedroom, Applicant was alone the room. Tr. p. 39. Paul's two older sons¹ and her daughter were in the living room; her youngest son was in his own bedroom. Tr. p. 38. Paul could hear items being broken in the bedroom, and as she began to call the police, Applicant suddenly left using the back door. Tr. pp. 39-40. Immediately thereafter, Paul saw smoke coming from the top and bottom of the bedroom door, and when she went into the bedroom, the closet was on fire. Tr. p. 40. Paul and her children attempted to put the fire out by smothering

¹ Paul's two oldest sons also testified at trial and confirmed the same general version of events – there was an argument, Applicant left, and they saw smoke coming from the bedroom a few minutes later. Tr. pp. 51-70.

it with the comforter from the bed. Tr. p. 41. They were unsuccessful, and eventually the house became so smoky they were forced to leave. Tr. pp. 42-43. Paul testified it took twenty to thirty minutes for the fire department to arrive, by which time the entire trailer was lost. Tr. p. 43. Paul and her children were left with only the clothes they were wearing at the time. Tr. p. 44. Additionally, Paul's car was damaged by the heat and flames because it was parked so close to the trailer. Tr. pp. 43-44.

Deputy Mike Gifford, of the Florence County Sheriff's Office, responded to the call regarding a structure fire, and while en route to the scene, he heard a "bolo" come across his radio for a black male wearing certain clothing, possibly leaving the area. Tr. pp. 86-87. As Deputy Gifford was turning onto South Jeffords Street, approximately 100 yards from the fire, he spotted a man matching the description of the person described in the bolo alert. Tr. p. 87. Deputy Gifford detained the man and patted him down. Tr. p. 87. As a result of the pat-down search, Gifford discovered a lighter in the man's pocket, which he turned into evidence. Tr. p. 87. Gifford identified Applicant as the man he saw that night. Tr. p. 89.

Investigator Pat O'Hara, also of the Florence County Sheriff's Office, was assigned to the case as an arson investigator. Tr. pp. 93-97. O'Hara testified he had worked at least 100 fire cases, though not all involved arson, and he was a certified fire and explosives investigator. Tr. p. 94-95. O'Hara testified his job is to figure out the origin and/or the cause of a fire when the fire department is unable to do so. Tr. pp. 95-96. O'Hara interviewed Paul and her two oldest sons on scene that night, and they all gave a similar story regarding an argument, Applicant leaving the trailer, and then seeing smoke. Tr. pp. 99-103. O'Hara testified he was notified Applicant had been detained and a lighter was recovered from him. Tr. p. 105. At that time, O'Hara instructed officers to place Applicant under arrest for third-degree arson. Tr. p. 106.

O'Hara went back to the scene the next day to conduct an "origin and cause investigation." Tr. p. 106. He testified he did not find any physical or biohazards and was able to photograph the scene thoroughly. Tr. p. 106. O'Hara explained his investigation revealed the fire was concentrated in the master bedroom, which showed signs of containing the most fuel source. Tr. pp. 120-21. O'Hara further explained he was checking to see if any accelerant had been poured from the bedroom throughout the house, and he did not find any evidence to support that theory. Tr. pp. 123-24. O'Hara testified it appeared the fire progressed from the bedroom in the back of the house to the front, consistent with the witness statements. Tr. pp. 135-37. Ultimately, O'Hara concluded the fire started somewhere in the master bedroom closet area, and he determined it was intentionally set by an open-flame source. Tr. p. 160. O'Hara also testified part of his job was to determine motive, and since Paul did not have renter's insurance, he determined she would not have intentionally set the house on fire. Tr. p. 159.

The jury convicted Applicant as indicted, and Judge Brown sentenced him to fifteen years' imprisonment. Tr. pp. 210-15.

ALLEGATIONS

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

1. Ineffective Assistance of Counsel
 - a. "My attorney knew nothing of the case, until the day of the trial."

On January 25, 2018, Applicant, through PCR counsel, amended his application to include the following allegations: failure to meet with Applicant prior to trial, failure to provide adequate notice of trial to Applicant, failure to object to the testimony of Investigator Pat O'Hara as giving expert testimony, failure to move for a mistrial when the State asserted an improper question, and

failure to object to the State's closing.

At the evidentiary hearing, counsel for Applicant informed the Court he intended to proceed only on the allegations listed in the amendment application. Therefore, this Court finds Applicant has waived and abandoned all the other claims against trial counsel listed in his original application, and those allegations are hereby denied and dismissed with prejudice.

SUMMARY OF TESTIMONY

Applicant testified he was appointed an attorney two to three months after his arrest on this charged. Applicant testified he was given a bond and was released. Applicant then testified he wrote Counsel a letter while he was still in jail and then called the Public Defender's Office and left a message for Counsel once he was released. Applicant testified he was out on bond for ten months prior to trial and he only attempted to contact Counsel with that single phone call. According to Applicant, the letter he wrote while still in jail informed Counsel he did not wish to plead guilty, and he wanted a trial. Applicant testified he was later arrested on unrelated charges, but he never had any further contact with Counsel or anyone else from the Public Defender's Office. According to Applicant, he only found out about his trial on this arson charge when officers came to get him from the jail and transported him to the courthouse.

Applicant testified he never saw discovery with the exception of the arrest warrant. Applicant further testified he only spoke with Counsel for a few minutes at the courthouse, and they never talked during breaks in the trial. Applicant testified Counsel did not do anything to help defend him, and he did not know anything she had done to prepare for trial.

Counsel testified she was appointed to Applicant's case on November 20, 2012, and sent discovery to him on January 30, 2103. According to Counsel's testimony, Applicant posted bond on February 25, 2013, then did not show up at his preliminary hearing the next day. Counsel

testified Applicant was present for a docket appearance on March 27, 2013, at which time he told her again he wanted a trial. Counsel testified she advised Applicant she did not think the jury would believe Ms. Paul had set the fire. Counsel further testified she explained to Applicant the phone number he needed to call each day to find out if his case was on the trial list for a specific term. Counsel testified Applicant did not appear during the next term in April, so she did not have a chance to speak with him further. Counsel also testified when Applicant's case was continued to the September/October term, she mailed him a letter informing him of the new date on August 21, 2013, which was not returned. She also testified she spoke to Applicant "a couple" times on the phone and had communication with him after she found out he was back in jail on the other charges. According to Counsel, Applicant at all times indicated he wanted a trial.

Counsel testified the only issue in Applicant's case was who set the fire – him or Ms. Paul. Counsel testified there was no question of fact regarding who was in the trailer, but there were some inconsistencies between witness statements regarding the timing of the fire. Counsel testified she was not concerned about O'Hara testifying to the cause of the fire as arson without being qualified as an expert because that was not a contested issue. Further, Counsel testified although O'Hara had some specialized training, she did not believe he needed to be qualified as an expert in order to testify about his investigation. She further testified there was significant evidence pointing to Applicant as the perpetrator even without O'Hara's testimony as all three testifying victims named him, and he was found on the scene with a lighter in his pocket.

Counsel also testified she did not believe a mistrial was warranted when the State repeated an objectionable question in full voice during a bench conference. Counsel testified she objected to the question as bolstering, and her objection was overruled. Finally, Counsel testified she did not object to the State's characterization of Applicant as a "coward" in closing because that was

essentially his defense – that he did not start the fire, but when he realized what was happening, he fled to save himself and did not help get anyone else out.

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 PCR hearing. This Court has further had the opportunity to observe each witness who testified at the hearing and to closely pass upon their credibility. This Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusion of law as required by S.C. Code Ann. § 17-27-80.

In a post-conviction relief action, the applicant bears the burden of proving the allegations in his application. Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985). Where the application alleges ineffective assistance of counsel as a ground for relief, an 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. at 443, 334 S.E.2d at 814. The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Butler, 286 S.C. at 442, 334 S.E.2d at 814. Courts presume counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. at 689. An applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

The reviewing court applies a two-pronged test in evaluating allegations of ineffective assistance of trial counsel. Id. at 117, 386 S.E.2d at 625. First, an applicant must prove counsel’s performance was deficient. Id. Under this prong, the court measures an attorney’s performance by its “reasonableness under professional norms.” Id. (quoting Strickland, 466 U.S. at 688).

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.

Ineffective Assistance of Trial Counsel

Regarding Applicant's claims of ineffective assistance of counsel, this Court finds Applicant has failed to meet his burden of proof. "Counsel's performance is accorded a favorable presumption, and a reviewing court proceeds from the rebuttable presumption that counsel 'rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment.'" Strickland, 466 U.S. at 690. There is a strong presumption that trial counsel's decisions are based on tactical strategy rather than neglect. Yarborough v. Gentry, 540 U.S. 1, 8 (2003). "Accordingly, when counsel articulates a valid reason for employing a certain strategy, such conduct will not be deemed ineffective assistance of counsel." Smith v. State, 386 S.C. 562, 567, 689 S.E.2d 629, 632 (2010) (citing Caprood v. State, 338 S.C. 103, 110, 525 S.E.2d 514, 517 (2000)). See also Stokes v. State, 308 S.C. 546, 419 S.E.2d 778 (1992) (holding where counsel articulates valid reasons for employing certain strategy, such conduct will not be deemed ineffective assistance of counsel); Ingle v. State, 348 S.C. 467, 470, 560 S.E.2d 401, 402 (2002) (holding counsel may avoid a finding of ineffectiveness if he articulates a valid reason for using a certain strategy). Counsel's strategy is reviewed under "an objective standard of reasonableness." Magazine v. State, 361 S.C. 610, 617, 606 S.E.2d 761, 764 (2004).

1. Failure to meet with Applicant prior to trial/ provide adequate notice of trial

This Court finds Counsel was not deficient in handling her communications with Applicant prior to trial, and the responsibility for the lack of communication falls on Applicant. This Court finds credible Counsel's testimony she attempted to contact Applicant, but he failed to appear on

several occasions. Further, Applicant was out on bond for an extended period of time and only made one attempt, via phone, to contact Counsel. This Court finds Applicant had a responsibility to keep in touch with Counsel, and he failed to do so. Further, the Court finds Applicant was notified of his expected trial date by orally and in writing. Therefore, because Counsel was not deficient, Applicant has failed to meet his burden of proof, and this allegation shall be dismissed.

2. Failure to object to the testimony of Investigator Pat O'Hara as giving expert testimony

This Court finds Counsel articulated a reasonable trial strategy regarding the testimony of Investigator O'Hara in choosing not to emphasize O'Hara as an expert, which may bolster the jury's opinion of his testimony. That the fire was caused by arson was not a contested issue at trial, and O'Hara's determination of arson was not based on any physical evidence, but rather the accounts of the victims. Tr. pp. 161, 164. This Court further finds any error in failing to allow O'Hara's testimony without qualifying him as an expert was harmless and made no difference in the outcome of the trial, and therefore, even if Counsel was deficient in failing to object, there was no prejudice to Applicant. See Rule 602, SCRE (a witness may testify to any matter within his or her personal knowledge). Therefore, this allegation shall be dismissed.

3. Failure to move for a mistrial when the State asserted an improper question

This Court finds the State's question to O'Hara as to whether the pictures were consistent with witness accounts was objectionable. Counsel did was required of her to preserve the issue for appellate review as she objected to the question and was overruled. On appeal, Applicant would be required to show the trial court's denial of the motion would have amounted to an abuse

of discretion in order to meet his burden of proving prejudice from Counsel's failure to make the motion. Earley v. State, 418 S.C. 255, 266, 792 S.E.2d 226, 232 (2016). This Court finds Applicant suffered no prejudice, and the question made no difference in the outcome of trial. Accordingly, this allegation shall be dismissed.

4. Failure to object to the State's closing argument

Finally, this Court finds no deficient in Counsel's failure to object to the State's closing argument in which the solicitor referred to Applicant as a "coward." On such claims, Applicant has the burden of proving "the solicitor's comments so infected the trial with unfairness as to make the resulting conviction a denial of due process." Humphries v. State, 351 S.C. 362, 373, 570 S.E.2d 160, 166 (2002). As Counsel explained, this characterization actually played into Applicant's defense. Further, the Court finds no error when read in the context of the entire argument. Therefore, this Court finds Counsel's conduct was not deficient in failing to object, nor was Applicant prejudiced by the remark. This allegation shall be dismissed.

CONCLUSION

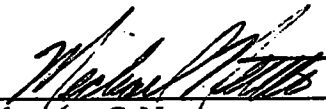
For all the foregoing reasons, this Court finds and concludes Applicant has not established any constitutional violations or deprivations which would require this court to grant his application. Counsel was not deficient in any manner, nor was Applicant prejudiced by Counsel's representation. Therefore, 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 PCR counsel's receipt 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, 409 S.E.2d 395 (1991), Applicant has a right to appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRCP, provides that if Applicant wishes to seek appellate review, PCR 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:

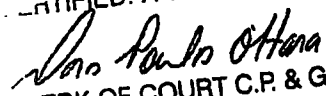
1. The application for post-conviction relief is denied and dismissed with prejudice; and
2. Applicant shall be remanded to the custody of the Respondent.

AND IT IS SO ORDERED.


MICHAEL G. NETTLES
Presiding Circuit Court Judge
Twelfth Judicial Circuit

1-10-, 2019

FILED
2019 JAN 16 PM 2:12
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

NOTIFIED: A TRUE COPY

CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.



ALAN WILSON
ATTORNEY GENERAL

December 31, 2018

FILED
2018 JAN 16 PM 2:12
DORIS POULOS OHARA
C.C.P. & G.S.
FLORENCE COUNTY, SC

The Honorable Michael G. Nettles
Presiding Judge, Twelfth Judicial Circuit
South Carolina Circuit Court
180 North Irby Street, MSC-XX
Florence, South Carolina 29501

Re: Gowndell Cades, #197569 v. State of South Carolina
2015-CP-21-1303

Dear Judge Nettles:

Enclosed please find the State's original proposed **Order of Dismissal** in the above-captioned case. If this order meets your approval, please sign and forward to the Florence County Clerk of Court to be filed and served.

Sincerely,

Lindsey McCallister
Assistant Attorney General

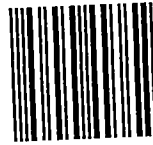
LM/can
Enclosures

cc: Jonathan D. Waller, Esquire

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Doris Poulos Ohara
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.



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Clerk of Court
Supreme Court of South Carolina
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Columbia, SC 29211