

# THE BOOZER LAW FIRM, LLC

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December 5, 2016

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

**RECEIVED**

DEC -7 2016

S.C. SUPREME COURT

William B. Funderburk  
Marlboro County Clerk of Court  
P.O. Drawer 996  
Bennettsville, SC 29512

**RE: John L. Hogan, #349628, v. State of South Carolina  
2015-CP-34-84**

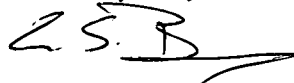
Dear Mr. Shearouse and Mr. Funderburk:

Enclosed for filing is a Notice of Appeal in the above-referenced case. Also enclosed are the following:

- (1) Proof of Service of the Notice of Appeal;
- (2) A copy of the Order which is to be challenged on appeal; and
- (3) Prior Order of Appointment of Counsel.

As I was appointed to represent Mr. Hogan in his PCR proceeding, I anticipate that the Office of Appellate Defense will represent Mr. Hogan in this appeal.

Yours very truly,



Lance S. Boozer

Enclosures

cc: Justin Hunter, AAG  
Loriene French, OAD  
John L. Hogan, #349628

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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DEC -7 2016

APPEAL FROM MARLBORO COUNTY  
Court of Common Pleas

S.C. SUPREME COURT

The Honorable G. Thomas Cooper, Circuit Court Judge

Case No. 2015-CP-32-84

John L. Hogan, #349628, .....Petitioner,

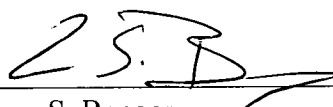
v.

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

**NOTICE OF APPEAL**

The Petitioner appeals the Honorable G. Thomas Cooper's Order dated November 1, 2016, denying post-conviction relief to the Petitioner. The Order was received by undersigned counsel on December 5, 2016. A copy of the Order on appeal is attached to this notice.

Respectfully submitted,



Lance S. Boozer  
The Boozer Law Firm, LLC  
807 Gervais Street, Suite 203  
Columbia, SC 29201  
Tele: 803-608-5543

December 5, 2016

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

**RECEIVED**

DEC -7 2016

APPEAL FROM MARLBORO COUNTY  
Court of Common Pleas

S.C. SUPREME COURT

The Honorable G. Thomas Cooper, Circuit Court Judge

Case No. 2015-CP-32-84

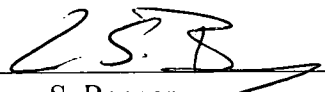
John L. Hogan, #349628, .....Petitioner,

v.

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

**PROOF OF SERVICE**

I, Lance S. Boozer, appointed attorney for Petitioner, certify that I have today served within Notice of Appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to Assistant Attorney General Justin Hunter, P.O. Box 11549, Columbia, SC 29211. I further certify that all parties required by Rule to be served have been served this 5th day of December, 2016.

  
Lance S. Boozer  
The Boozer Law Firm, LLC  
807 Gervais Street, Suite 203  
Columbia, SC 29201  
Tele: 803-608-5543

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF MARLBORO )  
 )  
 John L. Hogan, )  
 S.C.D.C. No. 349628, )  
 )  
 Applicant, )  
 )  
 v. )  
 )  
 State of South Carolina, )  
 )  
 Respondent. )

IN THE COURT OF COMMON PLEAS  
 OF THE FOURTH JUDICIAL CIRCUIT

2015-CP-34-0084

**ORDER OF DISMISSAL**

This matter comes before the Court by way of an Application for Post-Conviction Relief (PCR) filed March 11, 2015. Respondent made its Return on or about September 10, 2015. An evidentiary hearing into the matter was convened on July 19, 2016, at the Chesterfield County Courthouse in Chesterfield, South Carolina. Applicant was present at the hearing and represented by Lance Boozer, Esquire. Justin Hunter, Esquire, of the South Carolina Attorney General's Office represented Respondent. At the hearing, Applicant testified on his own behalf. Applicant's trial counsel, Daniel Blake, Esquire, also testified. This Court had before it a copy of Applicant's records from the Marlboro County Clerk of Court, Applicant's records from the South Carolina Department of Corrections, the trial transcript, Applicant's PCR Application, and Respondent's Return.

**I. PROCEDURAL HISTORY**

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Marlboro County Clerk of Court. In September 2010, the Marlboro County Grand Jury indicted Applicant for murder (2010-GS-34-696). Daniel C. Blake, Esquire, represented Applicant. On February 6, 2012, Applicant proceeded to trial before the

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 COURT REPORTER  
 MARLBORO COUNTY, SC

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Honorable Howard P. King and a jury. On February 8, 2012, the jury found Applicant guilty as indicted. Judge King sentenced Applicant to life imprisonment.

Applicant filed a timely notice of appeal, and Robert M. Dudek, Esquire, of the Office of Appellate Defense, perfected the appeal. The South Carolina Court of Appeals affirmed Applicant's conviction on November 5, 2014. State v. Hogan, Op. No. 2014-UP-369 (S.C. Ct. App. filed November 5, 2014). The Remittitur was returned to the circuit court on November 21, 2014.

### PCR Application

In his PCR application, Applicant alleged the following grounds for relief:

1. "IAC - attorney abandoned his role as def. counsel"
2. "IAC - attny failed to object to solicitor's closing argument"
3. "IAC - attny fail to perfect testimony to meet court's requirement"
4. "IAC - attny failed to investigate"
5. "IAC - attny failed to prepare for trial"
6. "IAC - attny failed to inform of a defense"
7. "IAC - attny failed to object to sentence"
8. "IAC - attny failed to properly preserve direct appeal issue"
9. "IAC - conflict of interest"
10. "IAAC - attny failed to properly inform me of the next step in the judicial process after a conviction is affirmed through direct appeal"
11. "IAAC - attny failed to give me a timely notice of the affirmation of my conviction leading to an extreme breakdown in the judicial process"
12. "IAAC - attny failed to present significant and obvious issues on appeal"

## II. SUMMARY OF THE TESTIMONY

### Applicant's Testimony

Applicant testified that he retained Counsel Dan Blake (hereinafter "Counsel") and met with him three to four times. He testified that during these meetings they discussed his version of facts and what led up to the crime in question. He testified that Counsel told him that he made a confession and had no defenses. Applicant testified that he did not talk about the defense strategy

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and did not know the evidence against him. Applicant also testified that Counsel did not inform him of a defense. He testified that he wanted a plea offer but the Solicitor told Counsel that they would not offer one.

Applicant testified that Counsel did not properly investigate Applicant's case and should have hired a private investigator. He further testified that Counsel should have investigated how big the trailer was and shared the results of his investigation. Applicant also testified that Counsel was not prepared for trial and did not put forth the appropriate amount of effort.

Applicant testified that he believed Counsel made him look bad by calling him "stupid" during his closing argument. He also testified that Counsel should have objected during the Solicitor's closing argument because the prosecution is not allowed to say that a man has no remorse. He further testified that Counsel did not preserve an issue concerning Dr. Morton's potential testimony for direct appeal. Applicant also testified that Counsel should have objected to Officer Paul LaRosa's expert testimony about the crime being a brutal attack, and should have timely objected to a Brady violation because Counsel did not have a copy of Agent LaRosa's report.

Applicant testified that Counsel should have objected to his sentence because he believed Counsel was supposed to object to a lengthy sentence.

Applicant testified that Counsel had a conflict of interest in representing Applicant, because Counsel is a member of the American Bar Association, which means that he is an agent of the British Bar Association and an agent of Applicant's adversary. He testified that he did not bring this conflict of interest to the trial court's attention because he did not know the truth at the time. Applicant further testified that Counsel had a conflict of interest because he was friends with the prosecutor and was a former prosecutor himself.

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SOUTH CAROLINA  
S.C.

Applicant testified that his appellate counsel, Robert Dudek, failed to give Applicant notice that his sentence had been affirmed. He testified that he was unable to file a timely notice to reconsider because Mr. Dudek did not make him aware of the appellate court's decision on time. Applicant also testified that Mr. Dudek did not present significant issues on appeal.

#### **Counsel Daniel Blake's Testimony**

Counsel testified that his records indicate that he met with Applicant at least fifteen times prior to trial. He testified that he discussed with Applicant the facts in his case, the difference between murder and voluntary manslaughter, Applicant's video-recorded confession, and any witnesses. He testified that he discussed with Applicant the defense strategy that Applicant did not commit murder but committed a lesser included crime during a crack episode. Counsel testified that he hired an expert who was going to testify as to Applicant's mental state at the time of the crime, but a pre-trial ruling prevented this testimony.

Counsel testified that he investigated Applicant's case thoroughly. He testified that he went over discovery with Applicant. He testified that he met with law enforcement, the autopsy doctor, and looked up two witnesses. Counsel also testified that he visited the scene of the crime. He testified that Applicant gave him the names of many witnesses but most of these were character witnesses.

Counsel testified that Applicant was initially presented with a thirty year offer to plead to murder. Counsel testified that when he assumed representation the plea offer was for Applicant to plead to a life sentence for murder. He testified that Applicant rejected the offer because he did not want to plead to murder. Counsel testified that the State never offered a plea to voluntary manslaughter, although he negotiated for one several times.

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HARRIS COUNTY, S.C.

He testified that his defense strategy was to argue that the crack had altered his mood and that they would try to convince the jury that if anything, Applicant was guilty of voluntary manslaughter and not murder. Counsel testified that he believed he did everything he could regarding the testimony of his expert, Dr. Morton, but the trial judge would not allow the testimony after a lengthy pre-trial hearing. He testified that there was no defense that Applicant did not commit the crime given the video confession. He testified that Applicant was well informed of the defense strategy and Applicant never disagreed with him prior to trial.

Counsel testified that Officer Paul LaRosa, who processed the crime scene, testified during trial as an expert in crime scene investigation and blood spatter evidence. Counsel did not make a timely objection to Agent LaRosa's opinion that the attack was brutal. Counsel also testified that he opposed Agent LaRosa's testimony and took issue with the fact that the State did not provide the defense with a copy of any report prepared by Agent LaRosa, which Counsel argued violated Brady. Counsel testified that he argued against this testimony in his closing argument. He testified that he did not know whether his failure to timely object would be an appellate issue.

Counsel testified that he said Applicant was "stupid on crack" during his closing because this was an unusual situation and he was talking about Applicant's state of mind at the time of the crime. He testified that his strategy was to show that smoking crack had altered Applicant's mood and state of mind during the crime.

Counsel also testified that he did not object during the Solicitor's closing. He testified that Applicant's lack of remorse was an issue throughout trial. Counsel testified that he did not object at this instance during the State's closing because he did not want to draw attention to the issue by making an objection.

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MADISON COUNTY, S.C.

Counsel testified that he did not object to Applicant's sentence. He testified that he has never been successful in a motion to reconsider the sentence before and did not see a reason why it would be successful. He believed that the lengthy sentence was due to the fact that Applicant put the victim's dead body in a barrel and hid it in the woods.

Counsel testified that he filed the notice of appeal but Appellate Defense took over after the filing.

Counsel testified that he was not aware of any conflict of interest. He testified that he is not a member of the American Bar Association.

### III. APPLICABLE LAW

In a post-conviction relief action, the applicant bears the burden of proving the allegations in their application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Where the application alleges ineffective assistance of counsel as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (1984); Butler, 334 S.E.2d 813.

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. 668. Applicant must overcome this presumption in order 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. Id. at 117, 386 S.E.2d at 625. First, the applicant must prove counsel's performance was deficient. Id. Under this prong, courts measure an attorney's performance by its reasonableness

MADEIRA COUNTY, S.C.  
WILSON COUNTY, S.C.  
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under prevailing professional norms." Id. (citing Strickland, 466 U.S. at 688). Second, any 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." Id. at 117-18, 386 S.E.2d at 625.

#### IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the testimony presented at the evidentiary hearing, observed the witnesses presented at the hearing, passed upon their credibility, and weighed the testimony accordingly. Further, this Court has reviewed the Clerk of Court records regarding the subject convictions, the trial transcript, Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief, and the legal arguments made by the attorneys. Pursuant to S.C. Code Ann. § 17-27-80 (2003), this Court makes the following findings of fact based upon all of the probative evidence presented.

As a matter of general impression, this Court finds Counsel's testimony to be credible and persuasive on all matters. This Court also finds that Applicant's testimony was not credible. These credibility findings have been applied to the Court's findings and conclusions set forth below.

##### Ineffective Assistance of Counsel

This Court finds that Counsel demonstrated the normal degree of skill, knowledge, professional judgment, and representation that are expected of an attorney who practices criminal law in South Carolina. State v. Pendergrass, 270 S.C. 1, 239 S.E.2d 750 (1977); Strickland, 466 U.S. at 668; Butler, 286 S.C. 441, 334 S.E.2d 813.

Applicant argued that Counsel was ineffective for stating the following in closing argument: "My client is, of course, the defendant in this case, and he was stupid, stupid on crack."

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SOUTH CAROLINA  
JUDICIAL DISTRICT, 5A

And in the end, he killed Monesha Brown." See Trial Transcript 397, ll. 18-20. Applicant has failed to meet his burden of proving that Counsel's performance was deficient in this regard. This Court finds Counsel's testimony to be credible that his comment about Applicant being "stupid" was referring to his intoxicated mental state. Additionally, Applicant has failed to show that the outcome of his trial would have been different had Counsel not stated that Applicant was "stupid on crack" during his closing argument. Accordingly, this allegation must be dismissed.

Applicant argued that that Counsel should have objected during the State's closing argument because the prosecution is not allowed to say that a man has no remorse. The specific portion at issue reads: "But remember he cried on the stand, if you think back, only when he was talking about his wife, his child, or the church. He didn't cry when he was talking about what happened to Monesha. He wasn't remorseful for that." See Trial Transcript 419, ll. 9-12. This Court finds that Applicant has failed to meet his burden of proving that Counsel was ineffective for failing to object during the State's closing argument. This Court finds that the statement at issue is not objectionable. A solicitor's closing argument must be carefully tailored so as not to appeal to the personal biases of the jury. Smith v. State, 375 S.C. 507, 522, 654 S.E.2d 523, 531 (2007) (citing State v. Coneland, 321 S.C. 318, 324, 468 S.E.2d 620, 624 (1996)). 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. (internal citations omitted). This Court finds that the solicitor's statement was not severe as to appeal to the personal biases of the jury or infect the trial with unfairness. Additionally, Applicant has failed to show that the outcome of his trial would have been different had Counsel objected during the State's closing argument. Accordingly, this allegation must be dismissed.

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WILLIAMSON COUNTY  
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HARRISBURG, S.C.

Applicant argued that Counsel was ineffective for failing to meet the Court's requirement regarding Dr. Morton's testimony and for failing to preserve an issue for direct appeal. This Court finds that Applicant has not met his burden of showing that Counsel was ineffective in this regard. This Court finds that Counsel extensively argued that Dr. Morton's testimony should have been allowed but was denied by the trial court after a lengthy pre-trial hearing. This Court further finds that in affirming Applicant's conviction in an unpublished opinion, the Court of Appeals did not state that any issue raised was unpreserved for appellate review. Applicant has further failed to show that the outcome of his trial would have been different had Counsel handled Dr. Morton's testimony differently. Accordingly, this allegation must be dismissed.

Applicant argued that Counsel was ineffective for failing to timely object to the testimony of Officer Paul LaRosa. Agent LaRosa provided expert testimony that the crime was a brutal attack. Counsel did not object at the time and made an objection later that a Brady violation occurred because Counsel was not provided with a report prepared by Agent LaRosa. The trial court overruled Counsel's objection as untimely. Applicant argued that Counsel's failure to object caused this issue to be unpreserved for appellate review. This Court finds that Counsel was not ineffective for failing to object to Agent LaRosa's testimony because the decision to qualify a witness as an expert is within the trial judge's discretion and Agent LaRosa testified accordingly. This Court finds that Applicant did not suffer prejudice. The trial court ruled that because Agent LaRosa did not make a report, no Brady violation occurred for failure to turn over a report. Thus, this Court finds that since no violation occurred, this issue would not have been successful on appellate review. As Applicant has failed to show that Counsel was deficient and that he was prejudiced by Counsel's actions, this allegation must be dismissed.

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WILLIAM J. BROWN  
CLERK OF COURT  
HALLFORD COUNTY, S.C.

Applicant argued that Counsel was ineffective for failing to investigate. This Court finds that Applicant has failed to meet his burden or show what any additional investigation would have been. See Moorehead v. State, 329 S.C. 329, 496 S.E.2d 415 (1998) (failure to conduct an independent investigation does not constitute ineffective assistance of counsel when the allegation is supported only by mere speculation as to the result); Davis v. State, 326 S.C. 283, 486 S.E.2d 747 (1997) (relief denied where applicant failed to present witnesses or specific testimony establishing applicant would have had a defense with additional time to prepare for trial); Skeen v. State, 325 S.C. 210, 481 S.E.2d 129 (1997) (applicant not entitled to relief where no evidence presented at PCR hearing to show how additional preparation would have had any possible effect on the result at trial). Applicant's only concern about Counsel's investigation dealt with the size of the trailer. This Court finds that Applicant has failed to show what any additional investigation would have shown and how this would have changed the outcome of Applicant's trial. Accordingly, this allegation must be dismissed.

Applicant argued that Counsel was not prepared for Applicant's trial. This Court finds that Counsel provided credible testimony regarding his preparation for trial and that such preparation was sufficient. This Court finds that Applicant has failed to show how Counsel could have been more prepared and how any additional preparation would have changed the outcome of his trial. Accordingly, this allegation must be dismissed.

Applicant argued that Counsel was ineffective for failing to inform him of a defense. This Court finds that Counsel presented credible testimony that he thoroughly discussed Applicant's case with him and discussed the defense strategy. This Court also finds that Counsel explained to Applicant the difference between murder and voluntary manslaughter. Applicant has not met his

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burden of showing that Counsel was ineffective for failing to discuss a defense strategy, and this allegation must be dismissed.

Applicant argued that Counsel was ineffective for failing to object to Applicant's sentence or make a motion to reconsider the sentence. This Court finds that Applicant has failed to meet his burden of proving that Counsel was ineffective. This Court finds that Applicant's sentence was legal and that the trial judge gave a lengthy explanation as to why he was sentencing Applicant to life imprisonment. This Court further finds that Applicant has failed to show any reason why a motion to reconsider would have been meritorious. Accordingly, this allegation must be dismissed.

Applicant argued that Counsel was ineffective for having a conflict of interest. "[U]ntil a defendant shows that his counsel actively represented conflicting interests, he has not established the constitutional predicate for his claim of ineffective assistance." Cuyler v. Sullivan, 446 U.S. 335, 350, 100 S. Ct. 1708, 1719, 64 L. Ed. 2d 333 (1980). The mere possibility of a conflict of interest is insufficient to challenge a criminal conviction. Langford v. State, 310 S.C. 357, 426 S.E.2d 793 (1993). This Court finds that Applicant's allegation is wholly without merit, as Applicant has failed to show that any actual conflict existed. This Court finds Applicant's testimony to be not credible that Counsel had a conflict simply by knowing the prosecutor and being a former prosecutor. This Court further finds that Counsel was not an "agent" for Applicant's adversary. This Court finds that Applicant has failed to demonstrate that Counsel actively represented conflicting interests. Accordingly, this Court finds Applicant has failed to satisfy his burden of proving either deficiency or prejudice as to this claim. Therefore, this allegation is denied and dismissed.

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KALAMAZOO COUNTY, S.C.

Applicant argued that Appellate Counsel was ineffective for failing to present issues on appeal and for failing to notify him of the affirmation of his sentence. This Court finds that these allegations are without merit. Applicant has failed to show what issues Appellate Counsel should have raised on appeal that were not raised. Applicant has also failed to show when exactly he was notified of the Court of Appeals' decision and how this prejudiced him. Applicant argued that he could have filed a timely petition for rehearing if he had been properly informed of the date of the affirmation of his sentence. This Court finds that Applicant has failed to show that his appellate counsel was ineffective in this regard and has failed to show that such a petition for rehearing would have been meritorious. Accordingly, this allegation must be dismissed.

#### All Other Allegations

As to any and all allegations that were raised in the application or at the hearing in this matter and not specifically addressed in this order, the Court finds Applicant failed to present any evidence regarding such allegations. Accordingly, the Court finds Applicant has abandoned any such allegations.

#### V. CONCLUSION

Based on the foregoing facts, the Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application for post-conviction relief. Applicant failed to demonstrate that Counsel's performance was unreasonable under prevailing professional norms. Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625; Stalk v. State, 383 S.C. 559, 563, 681 S.E.2d 592, 594 (2009). Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

The Court notes Applicant must file and serve a notice of appeal within thirty (30) days from PCR counsel's receipt of written notice of entry of judgment to secure the appropriate


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WILSON COUNTY, S.C.

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 THAT:**

1. The Application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. Applicant shall remain in the custody of the South Carolina Department of Corrections to complete service of his sentence.

AND IT IS SO ORDERED this 1<sup>st</sup> day of November, 2016.

  
G. THOMAS COOPER  
Presiding Judge  
Fourth Judicial Circuit

Camden, South Carolina

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CLERK OF COURT  
NORFOLK COUNTY SECURITY, S.C.

STATE OF SOUTH CAROLINA  
COUNTY OF MARLBORO

IN THE COURT OF (Select one.)  
 GENERAL SESSIONS  FAMILY COURT  
FOURTH JUDICIAL CIRCUIT

State of South Carolina,  
Plaintiff,

CASE NO.: 15-CP 34 00084  
APPOINTMENT OF COUNSEL

John Lee, MAGAN  
-vs-  
 Defendant  Juvenile.

(Select one.)  
 ORDER  
 AMENDED ORDER

Offense(s): \_\_\_\_\_

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

- It further appears that: (Select only one.)
- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
  - the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:

- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.

Therefore, it is ordered that Lance Boozer, Esquire hereby is appointed as  
(Select only one.)  counsel  lead counsel (if capital PCR case)

for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that \_\_\_\_\_, Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED THIS 1 DAY OF April, 2015.  
A CERTIFIED TRUE COPY

William B. Zundorff

William B. Zundorff  
 Circuit Judge  Clerk of Court

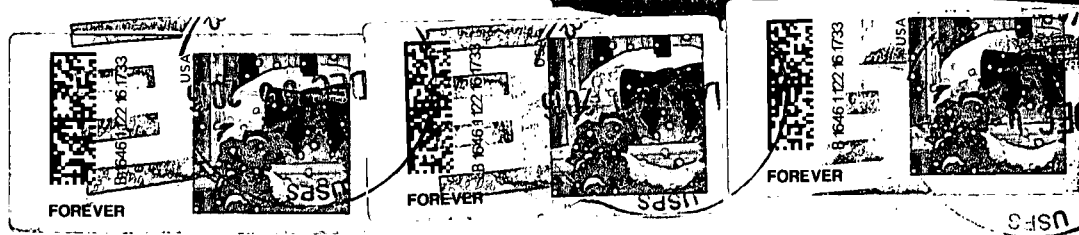
NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at [www.sccid.sc.gov](http://www.sccid.sc.gov), and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

MARLBORO COUNTY  
SCCA/268 (03/07)  
LANCE BOOZER  
507 CERVINS ST.  
SUITE 203  
CHARLOTTE, NC 28201

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MARLBORO COUNTY, SC

THE BOOZER LAW FIRM, LLC

00 Laurel Street, Suite 4A  
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The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
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