

Rodney D. Davis

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Charleston, SC 29401

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May 10, 2019

RECEIVED

MAY 13 2019

S.C. SUPREME COURT

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

RE: Dederick Bright v. State of South Carolina, Case No.: 2017-CP-10-4504

Dear Mr. Shearhouse:

Enclosed for filing is the Notice of Appeal (original and clocked copy) in the above Post Conviction Relief (PCR) case. Also enclosed are the following:

- (1) Proof of service of the Notice of Appeal on the respondent;
- (2) The Order of Dismissal &
- (3) A Request for Representation on Appeal.

The Applicant-Appellant was represented by me as an indigent pursuant to my contract with the South Carolina Commission on Indigent Defense (SCCID) to handle PCR cases. By copy of this letter, I am forwarding a duplicate set of documents to the SCCID.

The Request for Representation on Appeal and the Affidavit in Support thereof are signed by me as attorney for Applicant-Appellant. If you need anything further, do not hesitate to contact me. Thank you for your time and attention to this matter.

Sincerely,

Rodney D. Davis

South Carolina Bar #: 12396

101 Meeting Street, 5th Floor

Charleston, SC 29401

(843) 882-5065

Davis@LowcountryLawOffice.com

CC: Benjamin Limbaugh
Assistant Attorney General

Paula Murdoch
Appellate Division, SCCID

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

MAY 13 2019

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Thomas A. Russo, Circuit Court Judge

Case No.: 2017-CP-10-4504

Dederick Bright,

Appellant,

v.

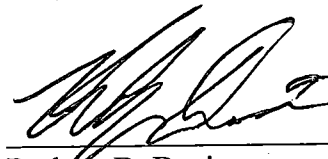
State of South Carolina,

Respondent.

NOTICE OF APPEAL

Dederick Bright appeals the denial of his Post Conviction Relief application in this case. The Application for relief was denied, following an evidentiary hearing before the Honorable Thomas A. Russo on February 27, 2018. Applicant's attorney received a copy of the Order of Dismissal on or about April 19, 2019.

5/10, 2019



Rodney D. Davis
101 Meeting Street, 5th Floor
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(843) 882-5065
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Attorney for Appellant

Other Counsel of Record:
Benjamin Limbaugh, Assistant Attorney General
Office of the Attorney General, State of South Carolina
P.O. Box 11549
Columbia, SC 29211-1549
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas A. Russo, Circuit Court Judge

Case No.: 2017-CP-10-4504

FILED
2019 MAY 10 AM 11:54
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

Dederick Bright,

Appellant,

v.

State of South Carolina,

Respondent.

NOTICE OF APPEAL

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5/10, 2019



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Other Counsel of Record:
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P.O. Box 11549
Columbia, SC 29211-1549
Attorney for Respondent

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MAY 13 2019

THE STATE OF SOUTH CAROLINA
In The Supreme Court.

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas A. Cooper, Circuit Court Judge

Case No.: 2017-CP-10-4504

BY

JULIE J. ARMSTRONG
CLERK OF COURT

2019 MAY 10 AM 11:54

FILED

Dederick Bright,

Appellant,

v.

State of South Carolina,

Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State by mailing a copy of it to the address of record, Benjamin Limbaugh, P.O. Box 11549, Columbia, South Carolina 29211-1549, on 5/10, 2019.

5/10, 2019



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Attorney for Appellant

Other Counsel of Record:
Benjamin Limbaugh, Assistant Attorney General
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Attorney for Respondent

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STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

DEDERICK T. BRIGHT,
S.C.D.C. No. 369263,
Applicant,

Case No. 2017-CP-10-4504

v.

ORDER OF DISMISSAL

STATE OF SOUTH CAROLINA,
Respondent.

FILE
2019 APR 16 PM 3:
JULIE J. ARMSTRONG
CLERK OF COURT

This matter comes before this Court by way of an application for post-conviction relief filed on August 31, 2017, by Dederick T. Bright (Applicant), alleging he was entitled to post-conviction relief based on constitutionally ineffective counsel, being coerced into pleading guilty, failure on the part of Counsel to investigate, Counsel's statement that he had been indicted when he had not, and that the Solicitor's factual recitation was insufficient to substantiate the plea. Respondent served its return on December 12, 2017, requesting an evidentiary hearing be convened on the application.

An evidentiary hearing was held on February 27, 2018, before this Court at the Charleston County Courthouse. Applicant was present and was represented by counsel Rodney Davis. Respondent was represented by Assistant Attorney General Rasheeda Cleveland of the South Carolina Attorney General's Office. At the hearing, testimony was taken from plea counsel, Charles Cochran, and Applicant.

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

Procedural History

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Charleston County Clerk of Court. The Charleston County Grand Jury indicted Applicant for first-degree criminal sexual conduct with a minor (2015-GS-10-5635) during its October 2015 term of court. The incident stemmed from Applicant's sexual assault of a fifteen-year-old victim in a parking lot of a Church's Chicken restaurant in North Charleston. Applicant was represented by Assistant Public Defender Charles Cochran. Assistant Solicitor Deborah Herring-Lash prosecuted the case.

On August 8, 2016, Applicant appeared in the Charleston County Court of General Sessions before the Honorable Benjamin H. Culbertson, circuit court judge, and waived presentment to the Charleston County Grand Jury to second-degree criminal sexual conduct with a minor. During the plea proceeding, Applicant informed Judge Culbertson he was pleading guilty because he was guilty, agreed with the facts giving rise to the charge as recited by the solicitor, stated he had not been promised or threatened to induce his guilty plea, and stated he was satisfied with his attorney's representation. Judge Culbertson sentenced Applicant to twelve years imprisonment. The State dismissed the Applicant's indictment for first-degree criminal sexual conduct with a minor pursuant to the plea agreement. Applicant did not appeal his guilty plea or sentence.

TESTIMONY PRESENTED AT EVIDENTIARY HEARING

Applicant

Applicant testified that Counsel came to visit him in the county jail two or three times and that he said he did not know anything about Applicant's case. Applicant testified that he did receive his Rule 5 discovery, but that Counsel did not review it with him. Applicant testified that he met

with Counsel at the courthouse before his plea. Applicant testified that Counsel never reviewed the charge with him or the elements of the charges. Applicant testified that Counsel did review the possible sentences of the charges if he did elect to go to trial. Applicant testified that the only charge Counsel ever discussed with him was the Criminal Sexual Conduct second degree and never about the solicitation charges. Applicant testified that Counsel told him at their meetings that he did not have a defense strategy for him and that he needed to plead guilty. Applicant testified that Counsel did not discuss with him at their meetings about the evidence in the case or how strong the State's case was against him. Applicant testified that he had never been to trial on any of his previous charges and that Counsel did not review with him the trial process before he plead. Applicant testified that Counsel did not discuss with him about being monitored, but that the judge reviewed that with him. However, he did testify that Counsel discussed with him that he would have to be on the sex offender registry. Applicant testified that he was not aware why he was in court the day he plead guilty.

Applicant testified that he met with Counsel in the secure room at the courthouse the day of his plea. Applicant testified that Counsel told him that he was pleading to a Second Degree Criminal Sexual Misconduct to a Minor and that it carried a sentence of zero to twenty years. Applicant testified that he told Counsel he was not pleading to that and that Counsel told him he was tired of the case and that he would plead or be on trial by December. Applicant testified that he was not pleading to anything until he spoke with his parents, so Counsel got his dad to come talk to him. Applicant testified that Counsel coerced his dad into convincing him to plead guilty. Applicant testified that he signed the sentencing sheet in the courtroom after discussing the plea with his father. Applicant testified that Counsel coerced him into entering his guilty plea and that he would have elected to go to trial if he thought Counsel was prepared to defend him at trial.

Applicant testified that he remembered the judge reviewing his constitutional rights with him and that he would be giving those rights up if he decided to plead guilty. Applicant testified that he remembered specifically giving up his right to a jury trial and his right to confront witnesses. Applicant also testified that he remembered waiving presentment of the indictment to the jury. Applicant testified that he remembered telling the judge that he was satisfied with the services of his attorney and that he had no complaints about his service. Applicant testified that he remembered telling the judge that no one had promised or threatened him into entering into the guilty plea. Applicant testified that he was not testifying truthfully at this plea, but that he was testifying truthfully now.

Counsel

Counsel testified that he was the sole attorney for Applicant's charges. Counsel testified he met with Applicant every sixty days or so during Applicant's fifteen months in jail. Counsel also testified that he spoke with Applicant's parents because they called frequently. Counsel testified that the only defense Applicant offered to the charge of Criminal Sexual Conduct with a Minor First Degree was consent. Counsel testified that he did not offer Applicant any legal defenses because he felt that he did not have any to offer. Counsel testified that insufficiency of the evidence could have been a defense if the victim refused to testify or if the jury did not find the witness credible. Counsel testified that he reviewed with Applicant his right to testify and the trial process in South Carolina. Counsel testified that he would have been willing to prepare Applicant for trial and that he was perfectly willing to try the case. Counsel testified that the conversation with his father before he plead guilty was very in-depth and that counsel explained the risks and rewards of pleading guilty versus going to trial. Counsel testified that Applicant decided to plead guilty after reviewing the options with counsel and his father before he plead

guilty. Counsel testified that he did not object to the factual recitation by the Solicitor and her description of the act as a sexual assault. Counsel testified that he did not personally interview any witnesses. Counsel testified that the solicitor was willing to dismiss some of the charges if Applicant plead and saved the victim the embarrassment of having to testify in court.

Counsel testified that he believes that Applicant understood the process and his conversations with him. Counsel testified that Applicant was confused as to why they could not present consent as a defense, but that counsel explained to him on a number of occasions that the victim could not consent because he was underage. Counsel testified that it was Applicant's decision to plead guilty, and that once he understood he could not present the defense of consent, he did not want to proceed with a trial. Counsel testified that he would have been prepared to go to trial if that was Applicant's wish. Counsel testified that he did not object to the Solicitor's recitation of the facts because he felt that they sufficiently established a substantial factual basis for the plea. Counsel testified that he did not do much investigation in this case because it was not the sort of case that required it be done.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has thoroughly reviewed the record in its entirety. Additionally, this Court heard the testimony presented at the evidentiary hearing and was able to observe the witnesses presented, and scrutinize upon the credibility of the witnesses presented. Set forth below are the relevant findings of facts and conclusions of law as required pursuant to S.C. Code Ann. §17-27-80 (1985).

Applicant has alleged numerous instances of ineffective assistance of counsel against plea counsel, Charles Cochran. Each allegation is addressed fully below.

The Sixth Amendment to the United States Constitution guarantees a defendant the right to effective assistance of counsel. 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).

In a post-conviction relief action, an applicant bears the burden of proving the allegations in his or her 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 [it] cannot be relied upon as having produced a just result.” Strickland, 466 U.S. 668; Butler, 286 S.C. at 442, 334 S.E.2d at 814.

Strickland does not guarantee perfect representation, only a “reasonably competent attorney.” 466 U. S. at 687 (quoting McMann v. Richardson, 397 U. S. 759, 770 (1970)); Representation is constitutionally ineffective only if it “so undermined the proper functioning of the adversarial process” that the defendant was denied a fair trial. Strickland, 466 U.S. at 686. Just as there is no expectation that competent counsel will be a flawless strategist or tactician, an attorney may not be faulted for a reasonable miscalculation or lack of foresight or for failing to prepare for what appears to be remote possibilities. See generally Id.

In evaluating allegations of ineffective assistance of counsel, the reviewing court applies the two-pronged test outlined in Strickland, 466 U.S. 668. First, an applicant 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 an attorney provided representation within the range of competence required in criminal cases. Butler, 286, 442, 334 S.E.2d at 814. “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). The applicant 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 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.

Although courts may not indulge in "post hoc rationalization" for counsel's decision making that contradicts the available evidence of counsel's actions, Wiggins, 539 U.S. at 526-527, neither may it insist counsel confirm every aspect of the strategic basis for his or her actions. There is a "strong presumption" that counsel's attention to certain issues to the exclusion of others reflects trial tactics rather than "sheer neglect." Yarborough v. Gentry, 540 U. S. 1, 8 (2003) (per curiam). After an adverse verdict at trial, even the most experienced counsel may find it difficult to resist asking whether a different strategy might have been better, and, in the course of that reflection, to magnify their own responsibility for an unfavorable outcome. Strickland, however, calls for an inquiry into the objective reasonableness of counsel's performance, not counsel's subjective state of mind. Id. at 688; Harrington v. Richter, 562 U.S. 86 (2011)

With respect to prejudice, an applicant must demonstrate "a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different. A reasonable probability is a probability sufficient to undermine confidence in the outcome." Id. at 694. It is not enough "to show that the errors had some conceivable effect on the outcome of the proceeding." Id. at 693. Counsel's errors must be "so serious as to deprive the defendant of a fair trial, a trial whose result is reliable." Id. at 687; Harrington, 562 U.S. 86.

"Surmounting Strickland's high bar is never an easy task." Padilla v. Kentucky, 559 U.S. 356, 371 (2010). An ineffective assistance of counsel claim can function as a way to escape rules

of waiver and forfeiture and raise issues not presented at trial, and so the Strickland standard must be applied with scrupulous care, lest “intrusive post-trial inquiry” threaten the integrity of the very adversary process the right to counsel is meant to serve. Strickland, 466 U.S. at 689–690. Even under de novo review, the standard for judging counsel’s representation is a most deferential one. Unlike a later reviewing court, the attorney observed the relevant proceedings, knew of materials outside the record, and interacted with the client, with opposing counsel, and with the judge. It is “all too tempting” to “second-guess counsel’s assistance after conviction or adverse sentence.” Id. at 689; see also Bell v. Cone, 535 U. S. 685, 702 (2002); Lockhart v. Fretwell, 506 U. S. 364, 372 (1993). The question is whether an attorney’s representation amounted to incompetence under “prevailing professional norms,” not whether it deviated from best practices or most common custom. Strickland, 466 U.S at 690.

In assessing prejudice under Strickland, the question is not whether a court can be certain counsel’s performance had no effect on the outcome or whether it is possible a reasonable doubt might have been established if counsel acted differently. Wong v. Belmontes, 558 U. S. 15 (2009); Strickland, 466 U.S. at 693. Instead, Strickland asks whether it is “reasonably likely” the result would have been different. Id. at 696. This does not require a showing that counsel’s actions “more likely than not altered the outcome,” but the difference between Strickland’s prejudice standard and a more-probable-than-not standard is slight and matters “only in the rarest case.” Id. at 693, 697. The likelihood of a different result must be substantial, not just conceivable. Id. at 693; Harrington, 562 U.S. 86.

Based on this standard set forth above, this Court finds Applicant has failed to meet his requisite burden of establishing any constitutional ineffectiveness of counsel as to any of his various allegations. Applicant’s allegation is addressed fully below:

Allegations

Coerced into guilty plea

Applicant alleges that his guilty plea was involuntary because he was coerced into taking it by his family and by Counsel. This Court finds that Applicant freely and voluntarily entered his guilty plea and that his allegation is without merit. This Court finds the plea transcript to be dispositive in deciding that Applicant knowingly and voluntarily entered into his guilty plea. The plea Court asked Applicant if he was being forced to plead guilty, if he was entering into the plea freely, and if he was entering into the plea voluntarily. Applicant indicated at his plea that he was entering the plea voluntarily and that he was not threatened to do so. Counsel's testimony that he did not coerce Applicant into taking the plea, nor did he tell Applicant's family to coerce him into taking the plea, was credible. Counsel also testified that Applicant's family was thoroughly involved throughout the representation and that Applicant was able to discuss the plea extensively with them. This Court finds that Applicant was not coerced into taking the guilty plea because he did so voluntarily and with the proper advice of counsel.

Based on these reasons, this Court finds plea counsel was not ineffective on this ground and this allegation is denied and dismissed with prejudice.

Failure to Investigate

Applicant alleges that plea counsel was ineffective for failing to properly investigate the facts of the case. Counsel has a duty to undertake reasonable investigations or to make a decision that renders a particular investigation unnecessary. Strickland v. Washington, 466 U.S. 668, 691, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). Thus, "[a] criminal defense attorney has the duty to conduct a reasonable investigation to discover all reasonably available mitigation evidence and all reasonably available evidence tending to rebut any aggravating evidence introduced by the State." McKnight v. State, 378 S.C. 33, 46, 661 S.E.2d 354, 360 (2008). Moreover, counsel's decision not

to investigate should be assessed for reasonableness under all the circumstances with heavy deference to counsel's judgment. Simpson v. Moore, 367 S.C. 587, 597, 627 S.E.2d 701, 706 (2006). “[C]ounsel's conversations with the defendant may be critical to a proper assessment of counsel's investigation decisions....” Strickland, 466 U.S. at 691, 104 S.Ct. 2052. “[A] court deciding an actual ineffectiveness claim must judge the reasonableness of counsel's challenged conduct on the facts of the particular case, viewed as of the time of counsel's conduct.” Id. at 690, 104 S.Ct. 2052. Bagwell v. State, 410 S.C. 259, 265, 763 S.E.2d 630, 633–34 (Ct. App. 2014).

Here, Counsel testified that he reviewed the discovery in this case and that the only defense he could raise would be insufficient evidence by attacking the victim. Counsel testified that he was working toward plea negotiations due to the lack of a practical legal defense and Applicant's admission that he was guilty. Based on these reasons, this Court finds plea counsel was not ineffective on this ground and this allegation is denied and dismissed with prejudice.

Stating that he had been indicted when he had not

Applicant alleges that Counsel was ineffective for stating that he had been indicted when he had not. The record directly refutes this allegation. Applicant had been indicted, but waived presentment on the record when he plead to a lesser-included offense. Applicant testified that he remembered waiving presentment of the indictment at the plea proceeding.

Based on these reasons, this Court finds plea counsel was not ineffective on this ground and this allegation is denied and dismissed with prejudice.

The factual recitation was insufficient to substantiate the factual basis for the plea

Applicant alleges that Counsel was ineffective for failing to object to the Solicitor's recitation of the facts substantiating the factual basis for the plea. Counsel testified that he did not

object to the recitation of the facts because he felt they provided a substantial factual basis of the plea. The Court notes that the indictment, sentencing sheet, warrants, and affidavits were also a part of the record being considered by the plea judge. Moreover, the Court notes that a Defendant who enters a plea of guilty waives his rights to attack the conviction on the ground that the judge erred in establishing a substantial factual basis for accepting the plea, and that upon the determination that the plea was voluntarily and knowingly entered into, the Defendant does not have the right in post-conviction relief to attack the plea on those grounds. LoPiano v. State, 270 S.C. 563. The Court finds that plea counsel's representation did not fall below the legal threshold of "reasonableness under prevailing professional norms." Applicant failed to show a reasonable probability that, but for Counsel's alleged errors during the plea (failure to request a more specific factual basis for the plea), he would not have pleaded guilty and would have insisted on going to trial.

Based on these reasons, this Court finds that plea counsel was not ineffective on this ground and this allegation is denied and dismissed with prejudice.

CONCLUSION

Based on all forgoing, this Court finds and concludes Applicant has not established any constitutional violations or deprivations before or during his trial and sentencing proceedings. Counsel was not deficient, nor was Applicant prejudiced by Counsel's representation. Therefore, this PCR application must be denied and dismissed with prejudice.

The 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-

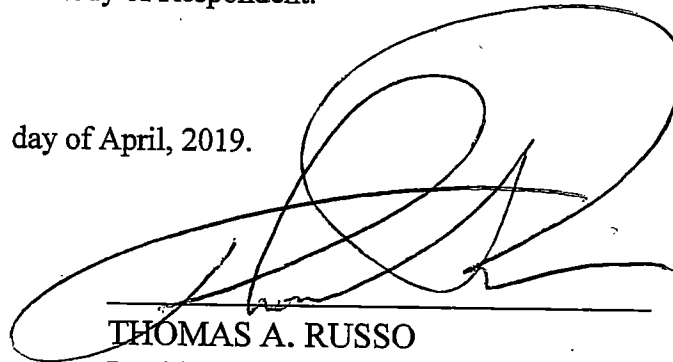
conviction relief. Rule 71.1(g), SCRCRCP, provides that if Applicant wishes to seek appellate review,

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 be denied and dismissed with prejudice; and
2. Applicant be remanded to the custody of Respondent.

AND IT IS SO ORDERED this 1st day of April, 2019.

A large, stylized handwritten signature in black ink, appearing to read 'T. Russo', is written over a horizontal line.

THOMAS A. RUSSO
Presiding Judge
Ninth Judicial Circuit

STATE OF SOUTH CAROLINA) IN THE SUPREME COURT OF SOUTH CAROLINA
 COUNTY OF CHARLESTON)
 DEDERICK BRIGHT,)
 Applicant.)
 -versus-)
 STATE OF SOUTH CAROLINA,)
 Respondent.)

Case No.: 2017-CP-10-4504

REQUEST FOR REPRESENTATION ON APPEAL

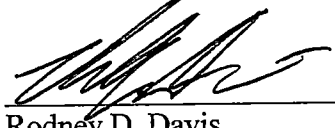
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 JULIE J. ARMSTRONG
 CLERK OF COURT

On behalf of the request of the above-named Applicant, to be represented by the South Carolina Commission of Indigent Defense, Appellate Division (SCCID), the undersigned attorney would show unto this Honorable Court that:

1. He is the attorney for the Applicant-Appellant in the above captioned case. The Applicant-Appellant was in custody during and taken into custody immediately following the Post Conviction Relief (PCR) hearing and was not available to personally sign this request;
2. The Applicant-Appellant was represented by the undersigned attorney as an indigent, pursuant to a contract with the SCCID;
3. The Applicant-Appellant has been informed that he may request assistance from the SCCID Appellate Division in perfecting his appeal;
4. A timely Notice of Intent to Appeal has been filed on the Applicant-Appellant's behalf;
5. The Applicant-Appellant has been informed that nothing requires SCCID Appellate Division to pursue this appeal unless that office's Chief Attorney is satisfied that there is arguable merit to this appeal and that he cannot afford to hire an attorney.

At this time, the Applicant-Appellant requests the aid of the SCCID Appellate Division in perfecting his appeal to the South Carolina Court of Appeals.

Respectfully Submitted,



Rodney D. Davis
 South Carolina Bar #: 12396

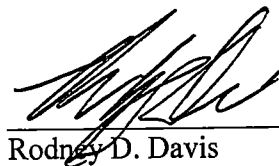
5/10, 2019
 Charleston, South Carolina.

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

VERIFICATION

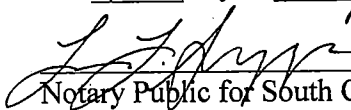
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JULIE J. ARMSTRONG
CLERK OF COURT

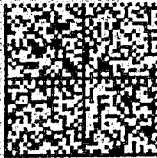
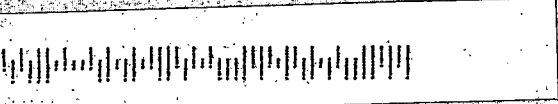
PERSONALLY appeared before me, Rodney D. Davis, being first duly sworn,
deposes and says that he has read the foregoing *Request for Representation on Appeal*
behalf of Dederick Bright and the same is true of his knowledge except those matters alleged
on information and belief, and as to those matters, he believes them to be true.



Rodney D. Davis
South Carolina Bar #: 12396

SWORN to and subscribed to me
this 10th day of May, 2019.


Notary Public for South Carolina
My Commission expires 1-11-27



UNITED STATES POSTAGE
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0000326406 MAY 10 2019
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DAVE PAVIS
WALLACE COUNTY PUBLIC DEFENDER
T. WALLACE COUNTY OFFICE BLDG.
101 MEETING STREET, 5TH FLOOR
CHARLESTON, SC 29401-2214

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