

**MCMAHAN & TAYLOR**  
ATTORNEYS LLC

June 13, 2019

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JUN 17 2019

S.C. SUPREME COURT

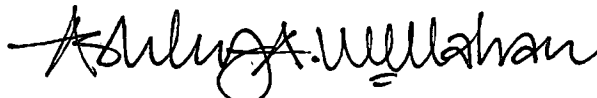
The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, SC 29211

RE: Jason C. Leaphart, #345183, v. State of South Carolina  
2017-CP-32-03216

Dear Mr. Shearouse:

Please find enclosed a Notice of Appeal along with the accompanying Order for the above-referenced matter. By way of this letter I am copying the Office of Appellate of Defense, as I was appointed to represent Mr. Leaphart.

Best regards,



ASHLEY A. MCMAHAN  
ATTORNEY AT LAW

AAM

cc: Jason C. Leaphart, #345183  
Taylor Z. Smith, Asst. Attorney General  
Lexington County Clerk of Court  
Office of Appellate Offense

RECEIVED

JUN 17 2019

STATE OF SOUTH CAROLINA  
In The Supreme Court

S.C. SUPREME COURT

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

The Honorable Walton J. McLeod, IV, Circuit Court Judge

Case No. 2017-CP-32-03216

Jason Leaphart, #345183, ..... Petitioner,


v.

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

NOTICE OF APPEAL

Applicant, Jason Leaphart, appeals the order of the Honorable Walton J. McLeod, IV, dated May 24, 2019, and filed June 4, 2019.

June 13<sup>th</sup>, 2019



ASHLEY A. McMAHAN, ESQUIRE

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ATTORNEY FOR APPLICANT

Opposing Counsel:  
Taylor Z. Smith, Asst, Attorney General  
S.C. Attorney General's Office  
PO Box 11549  
Columbia, SC 29211-1549

STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM LEXINGTON COUNTY  
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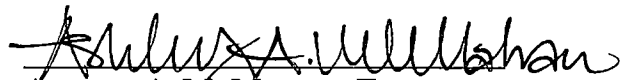
PROOF OF SERVICE

I, Ashley A. McMahan, certify that I have served the within Notice of Appeal on Respondent by depositing a copy of the same in the United States mail, postage prepaid, addressed to:

Taylor Z. Smith, Asst. Attorney General  
S.C. Attorney General's Office  
PO Box 11549  
Columbia, SC 29211-1549

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

June 13<sup>th</sup>, 2019



ASHLEY A. MCMAHAN, ESQUIRE

MCMAHAN & TAYLOR, ATTORNEYS, LLC

PO Box 5501  
West Columbia, SC 29171  
803-219-1110

STATE OF SOUTH CAROLINA )  
 COUNTY OF LEXINGTON )  
 Jason Leaphart, SCDC No.345183, )  
 Applicant, )  
 v. )  
 State of South Carolina, )  
 Respondent. )

IN THE COURT OF COMMON PLEAS  
 FOR THE ELEVENTH JUDICIAL CIRCUIT

Case No. 2017-CP-32-03216

**ORDER OF DISMISSAL**

2019 JUN -4 AM 9:41  
 CLERK OF COURT  
 LEXINGTON COUNTY  
 SOUTH CAROLINA  
 FILED

This matter comes before this court by way of an application for post-conviction relief filed on September 1, 2017, by Jason Leaphart (Applicant), alleging he was entitled to post-conviction relief based on constitutionally ineffective counsel. The State of South Carolina (Respondent) served its return on November 8, 2017, requesting an evidentiary hearing be convened on the application. Thereafter, Applicant, through appointed counsel Ashley A. McMahan, amended his application.

An evidentiary hearing was held on April 1, 2019, before this court. Applicant was present and was represented by counsel McMahan. Respondent was represented by Senior Assistant Deputy Attorney General Megan Harrigan Jameson of the South Carolina Attorney General's Office. At the hearing, testimony was taken from plea counsel, James Tyler McCurry (Tyler McCurry), 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**

The records before this court establish Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Lexington County

Clerk of Court. During its January 2017 term, the Lexington County Grand Jury indicted Applicant for intimidation of a court official (2017-GS-32-00141). Jason B. Turnblad, Esquire, represented him on this charge. On February 22, 2017, Applicant appeared before Judge Thomas W. Cooper, Jr., circuit court judge, and pled guilty to the lesser-included offense of attempted intimidation of a court official. Judge Cooper accepted the plea and sentenced Applicant to a term of imprisonment of ten years, suspended to time served with two years' probation to follow.

Thereafter, on May 13, 2017, Applicant was arrested by the Lexington County Sheriff's Department following a domestic incident with the mother of his child, wherein Applicant pushed the mother of his child while she was holding their child, causing her to fall and injury to both her and the child. On July 25, 2017, Applicant appeared before Judge William P. Keesley, circuit court judge, and waived presentment to the Lexington County Grand Jury for one count of third-degree domestic violence (2017-GS-32-02713) and one count of unlawful neglect towards a child (2017-GS-32-02718). Assistant Public Defender Hallie Willm Biediger, of the Lexington County Public Defender's Office, represented Applicant on these charges. Assistant Solicitor La'Jessica M. Stringfellow, of the Eleventh Circuit Solicitor's Office, prosecuted the case. Applicant pled guilty to both charges, and Judge Keesley sentenced Applicant to a term of imprisonment of seventy-three days for the domestic violence charge and ten years for unlawful neglect towards a child. Judge Keesley also revoked Applicant's probation on the intimidation charge in full. The sentences were to run consecutively. Applicant did not appeal.

#### **CURRENT PROCEEDING**

On September 1, 2017, Applicant filed an application for post-conviction relief alleging:

1. Ineffective assistance of counsel for:
  - a. Failing to present mitigating factors for a lesser offense or for a lesser sentence; and
  - b. Failing to enter plea negotiations on Applicant's behalf.

On November 8, 2017, Respondent made its Return, requesting an evidentiary hearing be held. On January 7, 2019, Applicant, through his counsel, filed an amended application alleging ineffective assistance of counsel for failing to interview Tyler McCurry. At the evidentiary hearing, Applicant proceeded forward on the claims raised in his application and amended application.

### **SUMMARY OF TESTIMONY PRESENTED AT THE EVIDENTIARY HEARING**

At the evidentiary hearing, Applicant first presented testimony from Tyler McCurry, the brother of Applicant's child's mother. McCurry testified he never saw Applicant physically harm Applicant's son and he wrote a letter to Applicant on December 12, 2017, admitted as Applicant's Ex. #1 indicating he never saw Applicant physically push his sister or harm his son. He testified he previously told law enforcement he witnessed the physical encounter between Applicant and his sister while his sister was holding Applicant's son but now states that statement to law enforcement was untrue. However, on cross-examination, McCurry acknowledged that he did witness Applicant physical touch his sister her while she was holding their child and then saw his sister on the floor, which is consistent with the incident report, admitted as Applicant's Ex. #2 ("I relocated to the incident location in an attempt to interview Tyler. I was informed by Mary McCurry, his mother that he had gone to work at the Walmart in Batesburg. I called Tyler on the phone and he informed me that shortly after deputies left, Lakin went inside to the bedroom. Tyler said that he went inside the house accompanied by Jason. According to Tyler, he stayed in the living room and Jason went inside the bedroom where Lakin was located. Tyler told me that he was in the living room when he heard Lakin yell "don't put your hands on me". Tyler said that he rushed inside the room and held Jason back, telling both to stop the arguing. According to Tyler, Jason was claiming that Lakin had flushed his depression medication down the toilet. Tyler told me that Jason was in a rage and pushed him to the floor of the bedroom. While he was on the floor, he saw Jason lunge at Lakin but did not see him push her, due to his positioning. According to

Tyler, he witnessed Lakin on the floor holding [child] and he became enraged. Tyler admitted to me that he began to fight Jason in defense of his sister and nephew and struck Jason a few times. Tyler informed me that Jason struck him as well and that in the melee, Lakin ran out of the house with the baby. Tyler told me that he attempted to locate his sister but the clerk at the truck stop would not tell him where she was.”)

Next, Applicant testified on his own behalf. He testified that he only met with plea counsel once and spoke with her on the phone one time as well as exchanged one letter. He testified that counsel gave him his discovery materials. He testified that he told the public defender’s office that he did not want to proceed to trial and wanted to enter a guilty plea. He testified that he told counsel he wanted her to investigate McCurry because McCurry did not see everything that happened and wanted to refute his statements to law enforcement included in the police report. He testified that he wanted counsel to present certain factual issues during mitigation, including that there was no headboard in the room where the altercation occurred so his child could not have hit its head on the headboard. However, he did acknowledge the child could have hit its head on the floor. Applicant testified he recalled his plea proceeding and told the plea court he was fully satisfied with counsel’s services. He recalled agreeing with the State’s factual recitation that included information that when Applicant pushed his child’s mother, she was holding the child and the child was injured during the fall. Applicant testified that he was not forced, threatened, or otherwise coerced to plead guilty. Applicant testified that the plea court reviewed all of his constitutional rights with him, including his right to a jury trial, and that he knowingly and voluntarily waived those rights to enter guilty plea. Applicant testified that he told the plea court he did not want a trial but that he now wants a trial because McCurry and his child’s mother were lying to law enforcement.

Applicant then presented private investigator Brenton Sadreamali, who went to the Lexington County Sherriff's Office and retrieved the two incident reports pertaining to this case. These incident reports were admitted into evidence without objection as Applicant's Ex. #2 and #3. Applicant's Ex. #2 is the incident report from the actual altercation between Applicant and his child's mother and Applicant's Ex. #3 is an incident report from earlier in the day when law enforcement responded a call of an altercation between Applicant's child's mother and another brother (Jerry Hall, Jr.) at the same location.

Thereafter, Respondent presented plea counsel Hallie Willm, who was appointed to represent Applicant while she was an assistant public defender. She testified that at the time she represented Applicant, her role at the public defender's office was to represent clients who were in jail and wanted to plead guilty to their charges quickly. She testified Applicant advised the public defender's office in July 2017, that he wanted to plead guilty to his charges quickly and she was then assigned to his case at that time. She testified that she spoke with Applicant by telephone immediately thereafter and then went to the jail to meet with him several times. She testified she reviewed all discovery materials with him, including the incident report, statements made to law enforcement, and photographs of his child and his child's mother with injuries. She testified it took a little bit of time for her to discovery from the solicitor's office, which upset Applicant and led to him writing a letter to her supervisor complaining about the delay in his case, but that once the discovery was received, they review it together. She indicated that the photographs showed clearly visible injuries on the child. She testified Applicant's child's mother gave a statement to law enforcement that while she was holding their child, Applicant punched her then pushed her, causing her to fall with the child and causing injuries to the child. She testified Applicant did not ask for her to undertake any sort of investigation and she does not recall Applicant asking her to speak with McCurry. She testified the only factual issue that Applicant disputed was that his child

could not have hit his head on a headboard at the bed in that room did not have a headboard. She testified that Applicant otherwise agreed with the facts as set forth in the discovery materials. She testified that she did not receive a copy of the incident report from earlier the same day (Applicant's Ex. #3).

Counsel testified that Applicant's main concern was getting the best plea offer possible from the State and pleading guilty quickly. She testified that she reviewed the elements of the offenses with Applicant, as well as reviewed case law regarding unlawful conduct and compared it to Applicant's indicted conduct as alleged in the incident reports and statements. She testified that at Applicant's request, she entered plea negotiations with the prosecutor and the best offer she received was for a reduced charge on the domestic violence indictment but the State would not make a recommendation as to a particular sentence. She elaborated that in her professional experience, this is the standard practice of the Eleventh Circuit Solicitor's Office and most pleas are without any sort of negotiation or recommendation as to sentence. She testified that she presented this plea offer to Applicant and that he accepted it. She testified that Applicant was on probation at the time he was arrested for these new offenses and that either offense would have been a violation of his probation. She elaborated that the victim of the prior offense for which he was on probation was a Lexington County Probation Agent and as a result, Applicant was being supervised by an agent from Saluda County. Because of this, counsel testified she made sure the plea was scheduled at a time that Applicant's probation agent from Saluda County could be present rather than have another agent from Lexington County appear at the plea. She testified that she reviewed Applicant's constitutional rights with him, including his right to a jury trial, and Applicant indicated he wanted to waive those rights to plead guilty. She testified that Applicant always consistently stated he wanted to plead guilty and never indicated he wanted a trial.

#### **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 at the evidentiary hearing, which allowed the court to scrutinize the credibility of all 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.

Applicant has alleged plea counsel, Hallie Willm Biediger, was constitutionally ineffective for failing to enter into plea negotiations on Applicant's behalf (including failing to argue mitigating factors for a reduced charge or sentence) and for failing to investigate Tyler McCurry. These allegations are addressed below.

#### **Ineffective Assistance of Counsel**

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. at 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 proceeding. 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 appear to be remote possibilities. 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 S.C. at 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 "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 they 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." Strickland, 466 U.S. 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. See Harrington, 562 U.S. at 86. With respect to guilty plea counsel, Applicant must establish there is a reasonable probability that, but for counsel's alleged errors, he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52 (1985).

"Surmounting Strickland's high bar is never an easy task." Padilla v. Kentucky, 559 U.S. 356, 371 (2010), and the strong societal interest in finality has "special force with respect to convictions based on guilty pleas." United States v. Timmreck, 441 U.S. 780, 784 (1979). 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. at 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 allegations: failing to request a competency evaluation pursuant to Blair and failing to utilize his medical records to support his request for an evaluation.

***Allegation that counsel failed to enter into plea negotiations on Applicant’s behalf***

Applicant alleges plea counsel was ineffective for failing to enter plea negotiations with the solicitor’s office, including failing to argue mitigating factors for a reduced charge or sentence. This court finds Applicant has failed to establish deficiency of counsel or any resulting prejudice. Addressing deficiency first, this court finds counsel’s performance was effective. Counsel’s credible testimony reveals she communicated with Applicant shortly after she was appointed and Applicant consistently told her that he wanted to plead guilty as soon as possible, and in accordance with these instructions, she negotiated the best plea deal possible from the State. She testified the plea offer was in accordance with the offers prosecutors in the Eleventh Circuit Solicitor’s Office

typically extend, including no recommendation as to a particular sentence. She testified she presented this offer to Applicant and he accepted it after she fully advised him of his rights to trial and what a plea would entail. Additionally, counsel made sure to schedule the plea hearing at a time when his probation agent could appear so as to avoid any conflict or potential negative implications from having a probation agent from the Lexington County Probation Office appear. The record establishes that counsel presented mitigation on behalf of Applicant, including his educational and work history and prior issues with substance abuse (See Tr. P. 17-20). This court finds counsel has performed effectively.

Moreover, this court finds Applicant failed to establish any prejudice, as he has failed to present any evidence as to what additional mitigation counsel could have presented that would have impacted either his plea offer from the State or his sentence from the plea court. This court finds the testimony of McCurry to be lacking in credibility, as it directly contradicts the statements he provided to law enforcement immediately after the incident. Moreover, McCurry's testimony is not dispositive on the case, as Applicant's child's mother gave a statement to law enforcement indicating Applicant physically assaulted her while holding their child-in-common and the pictures of the child's injuries are consistent with this account. Accordingly, this court finds this allegation must be denied and dismissed with prejudice.

***Allegation that counsel failed to investigate Tyler McCurry***

Applicant also alleges counsel was ineffective for failing to investigate McCurry. As discussed in the previous allegation, this court finds McCurry's testimony is not credible and not dispositive on the case. Accordingly, Applicant cannot establish any deficiency of counsel for failing to investigate McCurry. Moreover, Applicant cannot establish any resulting prejudice, as the result of his proceeding would not have been impacted had counsel investigated McCurry prior to his plea. This allegation is denied and dismissed with prejudice.

**CONCLUSION**

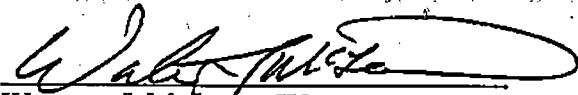
Based on all the foregoing, this court finds Applicant has not established any other constitutional violations or deprivations that would require this court to grant his application for post-conviction relief. Therefore, this application for post-conviction relief is denied and dismissed with prejudice.

This court notes that if Applicant wishes to appeal this order, Applicant, though his counsel of record, must file and serve a notice of appeal within thirty days from the receipt of this Order. See Rule 203 and 243, SCACR. Pursuant to Austin v. State, 305 S.C. 453 (1991), an applicant has a right to an appellate counsel's assistance in seeking review of the denial of post-conviction relief. Rule 71.1(g), SCRCP, provides if the applicant wishes to seek appellate review, post-conviction relief counsel must serve and file a Notice of Appeal on the Applicant's behalf. Applicant is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

**IT IS THEREFORE ORDERED:**

1. This application for post-conviction relief is denied and dismissed with prejudice; and
2. Applicant shall remain in the custody of the State within the South Carolina Department of Corrections.

AND IT IS SO ORDERED this 24 day of MAY, 2019.

  
WALTON J. MCLEOD, IV  
Presiding Judge  
Eleventh Judicial Circuit

Lexington, South Carolina

FORM 4

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

JUDGMENT IN A CIVIL CASE  
 CASE NUMBER 2017CP3203216

Jason Leaphart 345183	South Carolina State of	
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<b>PLAINTIFF(S)</b>	<b>DEFENDANT(S)</b>
Submitted by:	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	6/4/2019 Date
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**For Clerk of Court Office Use Only**

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on 4th of June 2019, to attorneys of record or to parties (when appearing pro se) as follows:

Ashley A. McMahan  
PO Box 5501 West Columbia, SC 29169

Taylor Zane Smith  
PO Box 11549 Columbia, SC 29211

---

**ATTORNEY(S) FOR THE PLAINTIFF(S)**

---

**ATTORNEY(S) FOR THE DEFENDANT(S)**

---

**Court Reporter**

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**Lisa M. Comer - 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.**

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**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.

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**MCMAHAN & TAYLOR**  
ATTORNEYS

PO Box 5501  
West Columbia, SC  
29171

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

29211-133030

COLUMBIA SC 290  
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