

August 14, 2019

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

RECEIVED
AUG 19 2019
S.C. SUPREME COURT

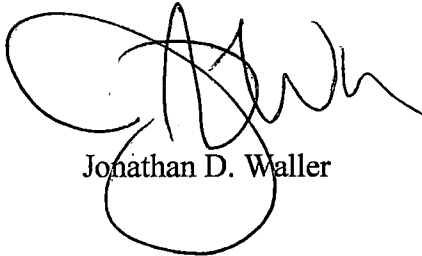
Re: Santos A. Aguilera vs. State of South Carolina
C/A No: 2017-CP-40-03784

Dear Mr. Shearouse:

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

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

Sincerely,



Jonathan D. Waller

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

Enclosures

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

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STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

AUG 19 2019

APPEAL FROM RICHLAND COUNTY
DeAndrea G. Benjamin, Circuit Court Judge

S.C. SUPREME COURT

2017-CP-40-03784

Santos A. Aguilera, # 371270,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Santos A. Aguilera, # 371270, appeals the Order of Dismissal denying his Application for Post-Conviction Relief filed August 8, 2019, issued by the Honorable DeAndrea G. Benjamin, Presiding Judge, Fifth Judicial Circuit.



Jonathan D. Waller

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ATTORNEY FOR PETITIONER

August 14, 2019

Other Counsel of Record:
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(803) 734-3319

STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

AUG 19 2019

APPEAL FROM RICHLAND COUNTY
DeAndrea G. Benjamin, Circuit Court Judge

S.C. SUPREME COURT

2017-CP-40-03784

Santos A. Aguilera, # 371270,

Appellant,

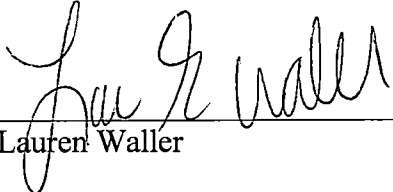
v.

STATE OF SOUTH CAROLINA,

Respondent.

CERTIFICATE OF SERVICE

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



Lauren Waller

August 15, 2019

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Santos A. Aguilera, #371270,)

C.A. No. 2017-CP-40-3784

Applicant,)

ORDER OF DISMISSAL

v.)

State of South Carolina,)

Respondent.)

RICHLAND COUNTY
FILED
2019 AUG - 8 AM 10: 52
JENNIFER M. HERNANDEZ
C.C.R., G.S., & F.C.

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed by Santos A. Aguilera (Applicant) on June 20, 2017. Respondent made its Return on February 16, 2018. An evidentiary hearing into the matter was convened on July 18, 2018, at the Richland County Courthouse before the undersigned. Jonathan D. Waller, Esquire, represented Applicant. Assistant Attorney General Lindsey A. McCallister represented Respondent.

At the hearing, Applicant testified on his own behalf. Luke A. Shealey, Esquire, Applicant's plea counsel, was also called to testify. Felix Kirszenbaum was sworn as a certified court interpreter and translated the proceeding from English to Spanish and vice versa for Applicant. This Court had before it a copy of the records of the Richland County Clerk of Court, records from the South Carolina Department of Corrections, the PCR application, Respondent's Return, and the plea transcript. After a review of the record and all evidence presented, this Court finds Applicant has failed to meet his requisite burden of proof and denies this application for relief.

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Richland County Clerk of Court. In June of 2015, the Richland County Grand Jury indicted Applicant for attempted murder (2015-GS-40-2709). The charges stem from a December 30, 2014, altercation between Applicant and the victim at a bar on Decker Boulevard. Applicant shouted, "Vas a morir esta noche" at the victim, which translates to "You are going to die tonight." Applicant then stabbed the victim multiple times in the chest and neck, resulting in a severed trachea and collapsed lungs. However, the victim survived his injuries. Luke A. Shealey (Counsel), Esquire, represented Applicant. Assistant Solicitor Vance Eaton, Esquire, prosecuted the case. On February 11, 2015, Applicant pleaded guilty as indicted before the Honorable Clifton B. Newman. Pursuant to the State's recommendation, Judge Newman sentenced Applicant to ten years' imprisonment for attempted murder. Applicant did not appeal his convictions or sentences.

ALLEGATIONS

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

1. Ineffective assistance of counsel
 - a. Counsel failed to properly review discovery
 - b. Counsel failed to interview possible witnesses
2. Ineffective investigation by defense counsel
 - a. Counsel failed to investigate the case as requested

On March 15, 2018, through Counsel, Applicant amended his original application to include the following claims of ineffective assistance of counsel:

- a. Counsel was ineffective for failing to object to the Assistant Solicitor breaching the plea agreement.

- b. Counsel was ineffective for failing to investigate the facts and circumstances of [Applicant's] case: specifically the DNA evidence, or lack thereof, and other evidence pertaining to Applicant's case, thus rendering Applicant's plea involuntary and unknowing.

At the evidentiary hearing, Applicant proceeded solely with the two allegations set forth in his amended application. This Court thus finds the allegations pleaded in Applicant's original application are waived and abandoned, and the Court denies and dismisses them with prejudice.

SUMMARY OF TESTIMONY

Applicant testified he was originally charged with "intent to assassinate," but his charge was later changed to attempted murder. Applicant testified he had two attorneys, and Counsel was the second. Applicant testified he did not meet with Counsel to discuss his case, but he also testified he and Counsel met at least twice. According to Applicant, there was no translator present at the first meeting, and he only understood a little bit of what Counsel told him. However, Applicant testified there was an interpreter present for their second meeting and in court on the day of the plea. Applicant testified, during their second meeting, Counsel told him he would be sentenced to three years with credit for time-served and then be deported. Applicant testified he understood he was subject to deportation for this offense. Applicant further testified Counsel told him there was insufficient evidence to support a charge of "intent to murder," and Counsel would speak with the solicitor about deportation.

According to Applicant, he and Counsel did not discuss the scientific or medical evidence in this case. Applicant testified he was aware there was DNA evidence, but he did not see it himself until well after the guilty plea. Applicant explained he does not read English, but he had friends read through his discovery, and it does not mention his blood being on the victim. Applicant also testified he and Counsel never discussed the witness statements or identification of him as the

perpetrator. Applicant testified he pleaded guilty because he is originally from Honduras, and he wanted to be sent back home to his family. Applicant explained he thought he would receive three years of time-served and be deported immediately. Applicant further testified he pleaded guilty because Counsel convinced him Counsel knew what he was doing, and Applicant thought he would be able to go home. Applicant agreed he told the plea judge he understood the charges against him and the plea agreement, and he wished to plead guilty. However, Applicant testified he did so because he did not know American law, and Counsel told him he would be deported, which Applicant wanted. Applicant testified he understood the State's recommendation for a cap of ten years, but Counsel convinced him he would only be sentenced to three years.

Applicant testified he never discussed a trial with Counsel, but he also never wanted to plead guilty until Counsel told him he would only be sentenced to three years and time-served. Applicant testified his first meeting with Counsel lasted approximately fifteen minutes, and the second lasted five minutes. Applicant testified the second meeting was solely about the plea agreement. Applicant further testified Counsel told him he would ask for three years, but during the plea hearing Counsel asked for three-to-five years instead.

Counsel testified he was appointed to Applicant's case after the first attorney realized he had a conflict due to involvement with Applicant's codefendant. Counsel testified he met with Applicant four times and used an interpreter during several meetings to explain major legal concepts. According to Counsel, Applicant understood English well enough to have basic conversations about the facts of the case. Counsel testified he discussed the State's evidence with Applicant. Counsel testified he had the preliminary DNA report at the time he took over the case and reviewed the discovery with Applicant. Counsel also recalled there were three witnesses who

identified Applicant from a photo lineup as the perpetrator, witnesses reported Applicant chased the victim while yelling he would kill the victim, and the victim's blood was found on Applicant's pants.

Counsel further testified Applicant was unable to contribute any potential defenses or identify any potential witnesses. Counsel testified there were problems with all of Applicant's potential defenses. Counsel explained self-defense was problematic because Applicant chased the victim, and actual innocence was problematic because three witnesses identified Applicant as the attacker. Counsel testified he believed the best trial strategy would have been to try for a conviction on a lesser-included offense, but that prospect was also challenging because the State had evidence of malice in that Applicant was yelling the victim would die that night. Counsel also explained Applicant was apprehended very close the scene along with his codefendant and although both of their clothes were tested, only Applicant's pants had the victim's blood on them. Further, none of the witnesses identified the codefendant as the actual perpetrator. Counsel also testified the State wanted Applicant to testify against the codefendant but Applicant declined because he was scared. Counsel explained Applicant refused to make a statement against his codefendant, who was sentenced to time-served and deported.

Counsel further testified Applicant did not want a trial, and Applicant always wanted a better plea deal. Counsel obtained a continuance in order to negotiate a better plea deal. Counsel testified the turning point in the case came when they received the final DNA results confirming it was the victim's blood on Applicant's pants. At that point, Counsel testified, he advised Applicant to accept the plea offer, and he would try to mitigate the sentence as best they could. Counsel testified he could not make a compelling challenge the DNA results because there was

other strong evidence placing Applicant at the scene, and the results showed a high probability of certainty in matching the victim's blood.

According to Counsel, about a week before the plea hearing, Applicant admitted to Counsel to being present and running after the victim with his codefendant, but maintained he did not stab the victim. Counsel testified he then explained the "hand of one, hand of all" accomplice liability theory to Applicant because Applicant felt he should have received a better plea offer from the State at that point. Counsel testified an interpreter was present for his meetings with Applicant where they discussed the DNA evidence and discovery, as well as on the day of the plea when he explained the plea agreement and American court procedure to Applicant.

Counsel denied telling Applicant he would receive a three-year sentence. According to Counsel, Applicant fixated on receiving time-served because that is what his codefendant received. Counsel felt it was appropriate to ask for three-to-five years because Applicant had already served almost three years. Counsel testified Immigration and Customs Enforcement (ICE) placed a detainer on Applicant, so it was not possible for Applicant to go home immediately. Counsel testified Applicant had a previous illegal entry into the country, but ICE had agreed not to prosecute him again. Counsel testified he explained Applicant would be deported once he had served his sentence. Counsel further testified he explained the entire plea agreement to Applicant, including the meaning of an Alford¹ plea and why Counsel thought it was the best outcome. Counsel testified he explained the State offered a sentencing cap of ten years, but the judge could choose to go over that. Finally, Counsel testified he extensively reviewed his standard advice form

¹ Alford v. North Carolina, 400 U.S. 25 (1970).

with Applicant, using an interpreter, on the day of the plea, and he made the signed form part of the record at the plea hearing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the record and heard the testimony at the PCR hearing. This Court has observed the witnesses presented at the evidentiary hearing, judged their credibility, and weighed their testimony accordingly in its discussion below. Set forth below are findings of fact and conclusions of law as required by section 17-27-80 of the South Carolina Code.

Applicant alleges he received ineffective assistance of counsel. In a post-conviction relief action, the applicant bears the burden of proving the allegations in his application. Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985). Where the application alleges ineffective assistance of counsel as a ground for relief, Applicant must prove "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668 (1984); Butler, 286 S.C. at 443, 334 S.E.2d at 814. The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. at 689. Applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

The reviewing court applies a two-pronged test in evaluating allegations of ineffective assistance of plea counsel. Id. at 117, 386 S.E.2d at 625. First, the applicant must prove counsel's performance was deficient. Id. Under this prong, the court measures an attorney's performance

by its “reasonableness under professional norms.” Id. (quoting Strickland, 466 U.S. at 688 (1984)). 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.” Id. at 117-18, 386 S.E.2d at 625. When there has been a guilty plea, the applicant must prove counsel’s representation was below the standard of reasonableness and that, but for counsel’s unprofessional errors, there is a reasonable probability he would not have pleaded guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 58-59 (1985); Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2001).

The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. A court need not first determine whether counsel’s performance was deficient before examining the prejudice suffered by the defendant as a result of the alleged deficiencies. If it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, that course should be followed. Strickland, 466 U.S. 668.

This Court finds Applicant failed to prove Counsel’s performance was deficient in any way, nor was Applicant prejudiced by Counsel’s performance. Counsel met with Applicant on several occasions – including multiple meetings with an interpreter – and reviewed with him the elements of the crimes charged, the evidence and discovery in the case, Applicant’s version of the facts and potential defenses, and the State’s plea offer. This Court finds Applicant ultimately chose to plead guilty because he did not have any viable defenses for trial, and this decision was made freely and voluntarily. Therefore, for the reasons stated below, the Court denies relief and dismisses the allegations with prejudice.

1. Breach of plea agreement

Applicant alleges Counsel was ineffective for failing to object when the State breached the plea agreement by recommending a ten-year sentence. This Court disagrees and finds the plea colloquy is dispositive as to this issue. The Court finds the record clearly establishes Applicant pleaded guilty freely and voluntarily, and the State did not violate its agreement with Applicant.

“[I]t is the prerogative of any person to waive his rights, confess, and plead guilty, under judicially defined safeguards, which are adequately enforced.” Reed v. Becka, 333 S.C. 676, 685, 511 S.E.2d 396, 401 (Ct. App. 1999). However, a defendant has no constitutional right to plea bargain, nor is a court required to accept a plea. Id. Nonetheless, once a defendant enters a guilty plea and the plea is accepted by the court, due process requires the plea bargain be honored. Id. at 686, 511 S.E.2d at 401. To find a guilty plea is voluntarily and knowingly entered into, the record must establish Applicant had a full understanding of the consequences of his plea and the charges against him. Boykin v. Alabama, 395 U.S. 238 (1969); Dover v. State, 304 S.C. 433, 405 S.E.2d 391 (1991). In determining guilty plea issues, it is proper to consider the guilty plea transcript as well as evidence presented at the PCR hearing. Harris v. Leeke, 282 S.C. 131, 318 S.E.2d 360 (1984).

The plea transcript reflects an interpreter was present to translate for Applicant during the hearing. Tr. p. 3. The record also reflects the solicitor informed the plea court he had agreed to a cap of ten years, and he was asking for the ten-year sentence. Tr. p. 3. Counsel agreed the State had offered a cap of ten years, but explained the defense would ask for less than that. Tr. p. 4. The plea court clearly explained the potential maximum sentence was thirty years and informed Applicant the court did not have to accept the recommended cap of ten years. Tr. p. 5. Applicant

indicated he understood. Tr. p. 5. The plea judge also explained to Applicant his right to a jury trial, and Applicant informed the plea court he understood his rights and wished to waive them to plead guilty. Tr. p. 6. The victim gave a statement regarding the ongoing impact of the attack on his life and asked the plea court to disregard the recommendation and sentence Applicant to the thirty-year maximum sentence. Tr. pp. 10-11. The plea court declined to do so and honored the recommended cap. The court clearly explained its reasoning in imposing a ten-year sentence, noting the victim had been stabbed multiple times and stating Applicant should not “get any benefit of good medical care [for the victim], or the fact that someone saved [the victim’s] life, or wasn’t [the victim’s] time to go.” Tr. p. 17.

Accordingly, this Court finds Counsel’s representation of Applicant was not deficient, nor was Applicant prejudiced by Counsel’s representation. Counsel met with Applicant on multiple occasions to review discovery, discuss the facts of the case, and explain Applicant’s constitutional rights and options for resolving the case. Further, the plea transcript reflects the State relayed the recommended cap of a ten-year sentence to the plea judge and asked the court to impose the maximum sentence under that cap. Tr. p. 3. Applicant never testified he would not have pleaded guilty if he had known the State would request the maximum under the cap, nor did Applicant object during the plea colloquy when the judge asked him if the solicitor had correctly explained the plea negotiations. Tr. pp. 3-5. This Court finds the solicitor’s request for a ten-year sentence was within the bounds of the plea agreement. See, e.g., Jordan v. State, 297 S.C. 52, 374 S.E.2d 683 (1988) (finding the State breached the plea agreement by opposing a probationary sentence after the solicitor agreed to neither oppose or recommend probation); State v. Rikard, 371 S.C. 295, 638 S.E.2d 72 (Ct. App. 2006) (finding the State did not breach the plea agreement by asking for maximum sentence during a “straight up” guilty plea). The plea court honored the

recommendation and clearly articulated its reasoning for imposing a ten-year sentence. Tr. p. 17. This Court therefore finds Counsel was not deficient because there was no basis for an objection because the solicitor's request was within the agreed upon ten-year cap, nor was Applicant prejudiced because he never testified he did not know the State would recommend ten years or that he would have refused to enter a guilty plea had he known. Therefore, this Court denies relief and dismisses these allegations with prejudice.

2. Failure to investigate and challenge evidence

Applicant alleges Counsel was ineffective because Counsel did not properly investigate the case, specifically the DNA evidence. This Court disagrees and finds Counsel provided effective assistance in this case.

"[C]riminal defense attorneys have a duty to undertake a reasonable investigation, which at a minimum includes interviewing potential witnesses and making an independent investigation of the facts and circumstances of the case." Walker v. State, 397 S.C. 226, 235, 723 S.E.2d 610, 615 (Ct. App. 2012) (reversed on other grounds by Walker v. State, 407 S.C. 400, 756 S.E.2d 144 (2014)). Failure to conduct an independent investigation does not constitute ineffective assistance of counsel when the allegation is supported only by mere speculation as to result. Porter v. State, 368 S.C. 378, 385-86, 629 S.E.2d 353, 357 (2006), abrogated on other grounds by Smalls v. State, 422 S.C. 174, 810 S.E.2d 836 (2018) (citing Moorehead v. State, 329 S.C. 329, 334, 496 S.E.2d 415, 417 (1998)). In any ineffectiveness case, a particular decision not to investigate must be directly assessed for reasonableness in all the circumstances, applying a heavy measure of deference to counsel's judgments." Wiggins v. Smith, 539 U.S. 510, 521-22 (2003).

In addition, the South Carolina Supreme Court has repeatedly held a PCR applicant must produce the testimony of a favorable witness or otherwise offer the testimony in accordance with

the rules of evidence at the PCR hearing in order to establish prejudice. See, e.g., Bannister v. State, 333 S.C. 298, 303, 509 S.E.2d 807, 809 (1998). To establish counsel failed to adequately prepare for trial, the applicant must present evidence of what counsel could have discovered or what other defenses could have been pursued had counsel more fully prepared. See Palacio v. State, 333 S.C. 506, 513, 511 S.E.2d 62, 66 (1999) (finding trial counsel not ineffective for failing to timely request discovery because the contents of the documents were not presented at the PCR hearing); Moorehead, 329 S.C. at 334, 496 S.E.2d at 417 (holding trial counsel's 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, 288, 486 S.E.2d 747, 749 (1997) (denying relief 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, 217, 481 S.E.2d 129, 133 (1997) (finding applicant was not entitled to relief where no evidence was presented at the PCR hearing to show how additional preparation would have had any possible effect on the result at trial).

This Court finds credible Counsel's testimony Applicant offered no potential defenses or witnesses for Counsel to investigate. Further, the Court finds credible Counsel's assertion there was no viable basis for challenging the DNA evidence as there were three eyewitnesses who placed Applicant at the scene, Applicant ultimately admitted to being there, and the DNA results identified the victim as the donor of the blood on Applicant's pants with a high degree of certainty. Most importantly, Applicant failed to present any evidence showing the DNA could have been successfully challenged, and therefore, he failed to meet his burden of proof. Accordingly, this Court finds Counsel was not deficient in deciding not to challenge the DNA evidence, nor was Applicant prejudiced by Counsel's decision. This allegation is therefore denied and dismissed.

CONCLUSION


Based on all the foregoing, this Court finds and concludes Applicant has not established any constitutional violations or deprivations that would require this Court to grant relief. Counsel was not deficient in any manner, nor was Applicant prejudiced by Counsel's representation. Therefore, this application for post-conviction relief is denied and dismissed with prejudice.

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 (providing the appropriate procedure to perfect an appeal). 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. Further, Rule 71.1(g), SCRCR, 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 Rule 243, SCACR, for the appropriate procedures for appealing a judgment in a PCR action.

IT IS THEREFORE ORDERED:

1. the Application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. Applicant shall be remanded to the custody of the Respondent.

AND IT IS SO ORDERED.



DEANDREA G. BENJAMIN
Presiding Circuit Court Judge
Fifth Judicial Circuit

7-17, 2019

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2017CP4003784

Santos A Aguilera #371270

State Of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or 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 and heard and a decision rendered.
- 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 _____
- 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 PUBLIC 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
		\$
		\$
		\$

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.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 8 August 2019 to attorneys of record or to parties (when appearing pro se) as follows:

Santas A Aguilera #371270

Jonathan D Waller

Lindsey Ann McCallister

Santas A Aguilera #371270

ATTORNEY(S) FOR THE PLAINTIFF(S)

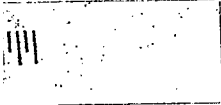
ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court

Jeanette W. McBride

FILED
RICHLAND COUNTY
2019 AUG -8 AM 10:53
JENNIFER W. MCBRIDE
CLERK OF COURT
& F.C.



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