

**LAW OFFICE OF NANCY C. FENNEL, LLC**

**P.O. Box 2176  
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**(803) 553-1772**

January 17, 2020

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

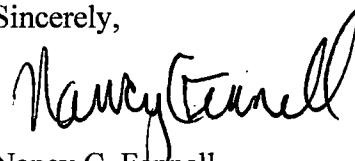
RE: Johnny Ray Campbell, #379280 v. State of South Carolina  
Case No. 2019-CP-02-00683

Dear Mr. Shearouse:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the order which is to be challenged on appeal.

Sincerely,



Nancy C. Fennell

cc: Brianna L. Schill  
Assistant Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211-1549

Johnny Ray Campbell

**RECEIVED**

**JAN 21 2020**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge

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Case No. 2019-CP-02-0068

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Johnny Ray Campbell,  
#379280,

Appellant

v.

State of South Carolina,

Respondent.

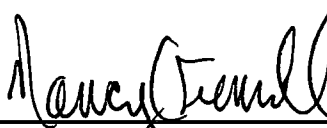
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NOTICE OF APPEAL

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Johnny Ray Campbell appeals the Order of the Honorable Courtney Clyburn Pope, dated December 11, 2019, a copy of which is attached. Appellant received written notice of entry of this Order on December 21, 2019.

January 17, 2020



Nancy C. Fenrell  
SC Bar No. 69729  
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Attorney for Appellant

Other Counsel of Record:  
Brianna L. Schill  
Assistant Attorney General  
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Attorney for Respondent  
(803) 734-3970

RECEIVED

JAN 21 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA )  
COUNTY OF AIKEN )  
)   
Johnny Campbell, )  
SCDC # 379280, )  
)   
Applicant, )  
)   
v. )  
)   
State of South Carolina, )  
)   
Respondent. )

IN THE COURT OF COMMON PLEAS  
FOR THE SECOND JUDICIAL CIRCUIT

Case No.: 2019-CP-02-00683

ORDER OF DISMISSAL

RECEIVED  
JAN 21 2020  
S.C. SUPREME COURT

The matter before this Court is an action for post-conviction relief (PCR). Johnny Campbell (Applicant) commenced this PCR action March 20, 2019. The State made its return on May 9, 2019. This Court held an evidentiary hearing October 2, 2019, at the Aiken County Courthouse before the undersigned. Applicant was present and represented by Nancy C. Fennell, Esquire. Assistant Attorney General Brianna L. Schill of the South Carolina Attorney General’s Office represented the State.

At the PCR hearing, Applicant testified on his own behalf. P. Andrew Anderson, Esquire, (Counsel) also testified at the hearing. After reviewing the testimony presented and reviewing the relevant portions of the record before the Court, for the reasons discussed below, this Court finds Applicant’s allegations are without merit and concludes Applicant failed to meet his burden. Therefore, this Court denies relief and dismisses the action with prejudice.

**I. PROCEDURAL HISTORY**

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Aiken County Clerk of Court. Applicant was indicted during the October 2017 term of the Aiken County Grand Jury for felony driving under the influence, great bodily injury results (2017-GS-02-01912). Applicant was represented by Counsel. Assistant

Solicitor Paige E. Tiffany of the Second Circuit Solicitor's Office prosecuted the case. On February 22, 2019, Applicant pled guilty before The Honorable Doyet A. Early. At the conclusion of the guilty plea hearing, Judge Early sentenced Applicant to fifteen years' imprisonment suspended upon service of seventy-eight months, and five years of probation. Applicant did not appeal his plea or sentence.

## **II. SUMMARY OF FACTS**

Aiken County Sheriff's Department received a complaint about a vehicle driving recklessly and at a high rate of speed near May Royal Road in Aiken County. (GP Tr. 4). Deputy Sullivan observed Applicant's pick-up truck on Wire Road and attempted to catch up with Applicant. (GP Tr. 4). Once he approached the intersection of Wire Road and Rudy Mason Parkway, Sullivan observed smoke rising from a two car accident. (GP Tr. 4). Applicant, who had a passenger, Ms. Tiffany McGee, had lost control of his vehicle and crossed the median, striking a Nissan Maxima driven by Mr. Dwayne Williams. (GP Tr. 4). Henderson and her daughter Ariana were in the vehicle with Williams. (GP Tr. 4). Trooper Vargo of the South Carolina Highway Patrol was dispatched to the scene. (GP TR. 4). All involved were transported to MCG Hospital in August, Georgia for treatment. (GP Tr. 4). Ms. McGee and Ms. Henderson both received great bodily injuries. (GP Tr. 4). Vargo obtained a blood sample from Applicant after obtaining a search warrant. (GP Tr. 4). Applicant's blood alcohol content was .24. (GP Tr. 4).

## **III. ISSUES RAISED**

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

### **Illegal Search and Seizure**

1. "Drawing my blood while I was unconscious."

**Ineffective Assistance of Counsel**

1. "The lawyer did not file a motion to suppress the blood drawn without my permission. He did not explain to me what it meant to have a 15 year suspended sentence, (No parole)..."
2. Failure to file a motion for reconsideration or an appeal.

**Involuntary Guilty Plea**

1. "I was threatened that if I did not take the plea I would be charged with multiple felonies and given 30 years."

On September 19, 2019, Applicant sent Respondent an amended application alleging the following claims:

**Ineffective Assistance of Counsel**

1. Failing to file a motion to suppress the blood sample evidence related to Applicant's blood alcohol level
2. Failing to inform Applicant of available defenses
3. Failing to file a motion for reconsideration
4. Failing to file a direct appeal
5. Failing to advocate for Applicant during sentencing
6. Failing to explain to Applicant the range of possible sentences

At the commencement of the hearing, Applicant indicated he was not going forward with his fifth amended allegation: failure to advocate for Applicant during sentencing. Applicant also indicated he was only going forward with the remaining amended allegations and was waiving the allegations in his original application. Therefore, this Court finds all other allegations raised in Applicant's original application, as well as issue number five in Applicant's amended application, are waived and abandoned, and those allegations are denied and dismissed with prejudice.

**IV. SUMMARY OF TESTIMONY**

*Applicant's Testimony*

Applicant testified he was sentenced to fifteen years' imprisonment suspended upon seventy-eight months, and to five years' probation. Applicant confirmed he pleaded guilty to DUI felony and subsequently filed a PCR application. Applicant also confirmed he understood the consequences of going forward with his PCR application, including the possibility of receiving a

greater sentence if his application was granted.

Applicant testified he hired Counsel to represent him. Applicant testified he met with Counsel a few times, but that Counsel did not know what to do each time they met. Applicant testified Counsel advised him the best thing to do was to take a plea. Applicant testified Counsel represented him for approximately six-to-eight months prior to his plea, and that he and Counsel discussed the possibility of going to trial a few times.

Applicant testified he was involved in an accident which resulted in law enforcement taking his blood. Applicant testified he was not under arrest at the time his blood was drawn. Applicant testified he believed the toxicology report had been tampered with because his blood alcohol level was taken when he was unconscious. Applicant testified he initially recalled discussing with Counsel a few potential legal issues as it relates to the blood sample that was obtained to determine his BAC level. Applicant later testified he and Counsel did not discuss how the toxicology report could potentially be suppressed. Applicant also later testified Counsel told him he could receive up to fifteen years' imprisonment.

Applicant testified he recalled Counsel advising him once more that he might be better off taking a plea offer because if he went to trial he would be facing fifteen-to-thirty years. Applicant testified Counsel advised him their trial strategy would have been to proceed with a bench trial. Applicant testified Counsel told him if law enforcement failed to show up to his bench trial that his case would be dismissed because the evidence could not be explained. Applicant testified he believed there was a chance he would have received a lower sentence at trial, but he could not say for certain.

Regarding plea negotiations, Applicant testified Counsel informed him the maximum sentence he would receive was weekend jail time, fines, community service, and ankle bracelet

monitoring. Applicant also stated Counsel advised him he could receive sentence consisting of work furloughs. Applicant testified he received a sentence of fifteen years' imprisonment suspended upon seventy-eight months and to five years of probation, and did not receive an option for furloughs. Applicant testified if he had known that he would not receive any furlough opportunities, he would not have plead guilty.

Applicant testified he had "never been in trouble before"<sup>1</sup> and subsequently found out information from the law library that he did not understand at the time of his guilty plea. Applicant testified he learned about his right to appeal from a fellow inmate at Kirkland Correctional Institution. Applicant testified he was not aware of his right to appeal prior to the discussion with his fellow inmate because the plea court did not inform him of his right to appeal. Applicant later testified he "probably" would have filed an appeal. Applicant testified he recalled telling the plea court he was satisfied with his representation from Counsel, but also testified that he decided he was not satisfied with Counsel when he found out about his right to appeal. Applicant also testified he did not attempt to contact Counsel about an appeal because he did not have the opportunity to use the phone at Kirkland Correctional Institution.

Applicant testified he recalled agreeing with the facts of his case as they were presented by the prosecution at his guilty plea hearing. After being provided a copy of the guilty plea transcript, Applicant recalled Counsel advising the court Counsel discussed Applicant's possible sentences with Applicant. Applicant testified he would have filed a motion to reconsider his sentence because he felt he received "too much" time and he was not happy with his sentence.

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<sup>1</sup> Applicant's plea trial transcript indicates Applicant was charged with a felony offense at the age of sixteen. (GP Tr. 4).

### *Counsel's Testimony*

Counsel testified he has been practicing law since 1991, and all of his experience has been in criminal law. Counsel testified Applicant retained him approximately one-year after the commencement of Applicant's case. Counsel testified he met with Applicant several times at Counsel's office. Counsel further testified he met with Applicant's wife on several occasions. Counsel testified he explained the elements of the offense and any possible defenses with Applicant. Counsel also testified he advised his client of the possible sentence he could receive.

Counsel testified Applicant's charges arose out of an automobile accident which occurred in Aiken County, South Carolina. Counsel testified Applicant was brought to a hospital in Georgia, where the hospital obtained a blood sample to perform a toxicology test pursuant to a search warrant, consistent with Georgia law. Counsel testified Applicant's Counsel testified he needed to get the blood evidence and toxicology report suppressed, or otherwise his client would be found guilty if he were to go to trial.

Counsel testified he initially thought of two ways he could get the toxicology report suppressed: (1) if the Clerk of Court issued the search warrant, as opposed to a judge,<sup>2</sup> and (2) on a jurisdictional issue based on the fact that the accident occurred in South Carolina and Applicant was taken to Georgia, where a search warrant was obtained to collect Applicant's blood sample. However, Counsel testified he verified that the search warrant was in fact issued by a judge, eliminating the possibility of suppressing the evidence based on the first issue. Counsel testified he consulted with other attorneys and determined that it was unlikely that the evidence would be suppressed. Additionally, Counsel testified he spoke with Judge Early, Judge Maddox, and Judge

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<sup>2</sup> Counsel cited to the fact that several search warrants issued in the State of Georgia were found improper because the Clerk of Court issued the warrants, as opposed to a judge.

Dixon about the jurisdictional/search warrant issue, but each judge indicated they would not suppress the toxicology report or blood evidence. During Counsel's first meeting with Judge Early, the judge indicated he would sentence Applicant to five-to-fifteen years' imprisonment. Counsel testified Judge Early indicated at a later meeting he would sentence Applicant to imprisonment for eight-to-twelve years. Counsel testified he discussed all plea offers with Applicant.

Counsel testified that based on this information, he believed he would lose a motion to suppress the toxicology report and blood evidence. Furthermore, Counsel testified if he still pursued a motion to suppress the evidence and lost, Applicant could not use the potential issue as leverage to obtain a better plea offer. Counsel testified he believed forgoing a motion to suppress the evidence gave Applicant the best chance at a favorable plea offer.

Counsel testified he did not see any possible meritorious claims for appeal. Counsel testified he did not believe he discussed Applicant's right to appeal with Applicant because Applicant plead guilty and Counsel did not see any possible meritorious claims for appeal. Counsel testified he did not recall Judge Early advising Applicant of his right to appeal. Counsel further testified the sentence Applicant received was not an improper or illegal sentence. Counsel testified he was surprised because Judge Early imposed a more favorable sentence than he originally indicated he would. Counsel testified he believed it was in Applicant's best interest to plead guilty, and that it was ultimately Applicant's decision to plead guilty.

#### V. APPLICABLE LAW

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.

## VI. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court viewed the testimony presented at the evidentiary hearing, observed the witnesses presented at the hearing, passed upon their credibility, and weighed the testimony accordingly. Further, this Court has reviewed the Clerk of Court records regarding the subject convictions, the plea transcript, and Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief, and the legal arguments made by the attorneys. Set forth below are the relevant findings of fact and conclusion of law as required by S.C. Code Ann. § 17-27-80 (2003).

### **Ineffective Assistance of Counsel**

#### *1. Failure to File a Motion to Suppress the Toxicology Report*

Applicant alleges Counsel was ineffective for failing to file a motion to suppress the toxicology report.

Counsel testified he made the decision not to file the motion to suppress strategically because if he filed the motion and lost, Applicant would lose all leverage he had to obtain a favorable plea deal. Counsel testified he consulted with other lawyers and determined that it was unlikely the evidence would be suppressed. Furthermore, Counsel consulted with several judges, and each judge indicated to Counsel they were not persuaded by Counsel's arguments and would allow the toxicology report to come in at trial. Based on this, Counsel made his strategic decision to not file the motion.

This Court finds the testimony of Counsel as to this allegation very credible. This Court finds Applicant has failed to show any deficiency on behalf of Counsel as Counsel articulated a

valid trial strategy for not filing the motion to suppress the toxicology report. See *Whitehead v. State*, 308 S.C. 119, 122, 417 S.E.2d 529, 531 (1992) (“[W]here counsel articulates a valid reason for employing certain strategy, such conduct will not be deemed ineffective assistance of counsel.”). As Counsel testified, he did not file the motion because doing so could have prevented Applicant from receiving a favorable plea offer. Accordingly, Counsel was not deficient.

Applicant has also failed to establish any resulting prejudice from Counsel’s alleged deficiency. Based on the standard set forth above, this Court finds Applicant has failed to meet his requisite burden of establishing constitutional ineffectiveness of Counsel and, therefore, this allegation is denied and dismissed with prejudice.

*2. Failure to Inform Applicant of Any Available Defenses*

Applicant alleges Counsel was ineffective for failing to inform Applicant of any possible defenses.

As Counsel credibly testified, Counsel discussed the possible defenses with Applicant to the extent he had any defenses. Counsel testified he discussed the potential issues regarding the toxicology report with Applicant. However, as Counsel testified, Applicant’s defenses were limited to the arguments in favor of suppressing the evidence. If the evidence came in at trial, Applicant would not have any other viable defenses. Applicant also testified at one point during his PCR hearing that he recalled Counsel discussing the potential legal issues regarding the toxicology report.

This Court finds Counsel’s testimony on this issue very credible. This Court also finds Applicant’s testimony on this issue credible only to the extent Applicant testified he recalled Counsel discussing the potential legal issues regarding the toxicology report with him prior to the guilty plea hearing. This Court further finds Applicant has failed to establish how Counsel was

deficient in any way regarding Applicant's defenses, as Counsel discussed with Applicant the available defenses to the extent Applicant had any. Accordingly, Counsel was not deficient.

Applicant has also failed to establish any resulting prejudice from Counsel's alleged deficiency. Based on the standard set forth above, this Court finds Applicant has failed to meet his requisite burden of establishing constitutional ineffectiveness of Counsel and, therefore, this allegation is denied and dismissed with prejudice.

### *3. Failing to File a Motion for Reconsideration*

Applicant alleges Counsel was ineffective for failing to file a motion to reconsider his sentence.

Counsel testified the sentence imposed on Applicant was not an illegal sentence, nor was there any allegation the trial court acted with partiality, prejudice, oppression or corrupt motive when sentencing Applicant. Accordingly, Counsel testified he did not believe there was a valid legal basis to file a motion to reconsider his sentence. Applicant testified he merely believed he received "too much" time.

This Court finds Counsel's testimony regarding this allegation credible, and finds Applicant's allegation on this issue credible only to the extent Applicant testified he wanted to file a motion to reconsider his sentence because he believed he received "too much" time. This Court finds Applicant has failed to establish how Counsel was deficient in any way by failing to file a motion to reconsider his sentence. There is no professional obligation to file a motion for reconsideration of a sentence absent a specific legal reason to do so. *See Shraiar v. U.S.*, 736 F.2d 817, 818 (1st Cir. 1984) ("No court has held that failure to file a [motion to reduce sentence] automatically constitutes ineffective assistance of counsel."). Counsel credibly testified the sentence imposed was not illegal or imposed based on prejudice, corruption, or any other improper

motive. Additionally, Counsel credibly testified he was "surprised" because Judge Early ultimately sentenced Applicant to a shorter sentence than he previously indicated he would impose. Accordingly, Counsel was not deficient.

Furthermore, Applicant fails to establish he was prejudiced by Counsel's alleged failure to file a motion to reconsider Applicant's sentence. In the context of a motion to reconsider sentence, Applicant must establish a reasonable probability his sentence would have been reduced if the motion had been filed. Applicant provided no testimony or evidence suggesting his sentence would have been reduced by way of a motion to reconsider. Applicant merely hoped the Court would have imposed a shorter sentence if he filed a motion to reconsider. Accordingly, Applicant has failed to provide support for either prong of the *Strickland* test and, accordingly, this claim is denied and dismissed with prejudice.

#### 4. *Failure to File a Direct Appeal*

Applicant asserts Counsel was ineffective for failing to file a direct appeal, and Applicant asserts he wanted to appeal his convictions and sentence.

While trial counsel is required to make certain the defendant is made fully aware of the right to appeal a conviction at trial, the standard for a guilty plea is different. *Turner v. State*, 380 S.C. 223, 224, 670 S.E.2d 373, 374 (2008). Absent extraordinary circumstances, such as when there is reason to think a rational defendant would want to appeal (for example, because there are non-frivolous grounds for appeal) or when the defendant reasonably demonstrated an interest in appealing, there is no constitutional requirement that a defendant be informed of the right to a direct appeal from a guilty plea. *Id.* at 225, 670 S.E.2d at 374 (citing *Roe v. Flores-Ortega*, 528 U.S. 470 (2000); *Weathers v. State*, 319 S.C. 59, 459 S.E.2d 838 (1995)).

Counsel testified he did not discuss Applicant's right to an appeal because Applicant did not have any possible meritorious issues for appeal. Applicant testified he would have "probably" filed an appeal, but he did not attempt to contact Counsel about an appeal because he did not have the opportunity to use the phone at Kirkland Correctional Institution.

This Court finds Counsel's testimony on this issue credible, while also finding Applicant's testimony not credible. This Court finds Applicant has failed to establish how Counsel was deficient in any way for not filing a notice of appeal. Counsel credibly testified there were no meritorious claims for appeal in Applicant's case. Furthermore, Applicant ultimately chose to give up his constitutional rights, including the possibility of asserting any argument that the blood sample was illegally obtained, by pleading guilty.

Furthermore, Applicant fails to establish he was prejudiced by Counsel's alleged failure to appeal Applicant's case. As previously discussed, Counsel credibly testified there were no possible meritorious issues for appeal. Accordingly, this claim is denied and dismissed with prejudice.

*5. Failure to Advise Applicant of the Possible Ranges of His Sentence*

Applicant alleges Counsel was ineffective for failing to advise Applicant of his possible sentences.

Counsel testified he advised his client of the possible sentence he was facing, which was a maximum of fifteen years' imprisonment. Counsel also testified he discussed the terms of the final plea offer with Applicant, which consisted of a negotiated fifteen year sentence suspended upon service of five-to-eight years.

This Court finds Counsel's testimony on this issue credible. This Court finds Applicant has failed to establish how Counsel was deficient in any way regarding advising Applicant of his


was prejudiced by any alleged failure to file a direct appeal. Finally, this Court finds Counsel properly advised Applicant of his possible sentences, and therefore was not deficient. This Court further finds Applicant has not shown any prejudice resulting from any alleged failure to discuss Applicant's possible sentences.

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 pursuant to Rule 203, SCACR. Applicant has a right to appellate counsel's assistance in seeking review of the denial of PCR. *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). 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 appropriate procedures for appeal.

**IT IS THEREFORE ORDERED:**

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

AND IT IS SO ORDERED this 11 day of December, 2019.



COURTNEY CLYBURN POPE  
Presiding Circuit Court Judge  
Second Judicial Circuit

December 11, 2019

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge

Case No. 2019-CP-02-0068

RECEIVED

JAN 21 2020

S.C. SUPREME COURT

Johnny Ray Campbell,  
#379280,

Appellant

v.

State of South Carolina,


Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Appellant's  
Notice of Appeal was served upon the following via United States Mail on the 17<sup>th</sup> of  
January, 2020, in accordance with the South Carolina Rules of Civil Procedure:

Brianna L. Schill  
Assistant Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211-1549

January 17, 2020

  
Nancy C. Fennell  
SC Bar No. 69729  
Post Office Box 2176  
Irmo, South Carolina 29063  
(803) 553-1772  
Attorney for Appellant

**LAW OFFICE OF NANCY C. FENNELLS, LLC**

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Irmo, SC 29063**

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**(803) 553-1772**

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January 17, 2020

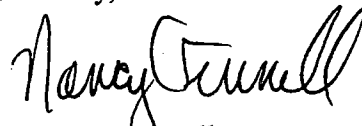
The Honorable Robert J. Harte  
Aiken County Clerk of Court  
P.O. Box 583  
Aiken, SC 29802

Re: 2019-CP-02-00683, Johnny Campbell v. State of South Carolina

Dear Mr. Harte:

Enclosed for filing is a notice of appeal in the above case.

Sincerely,



Nancy C. Fennell

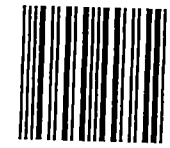
cc: Brianna L. Schill  
Johnny Campbell

OF NANCY C. FENNELL, LLC  
P.O. Box 2176  
Irmo, SC 29063

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