

January 28, 2020

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

RECEIVED

FEB 03 2020

S.C. SUPREME COURT

Re: Demichael Shearvon Razor vs. State of South Carolina
C/A No: 2017-CP-40-03776

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. Razor 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

803-520-7278
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STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

2017-CP-40-03776

RECEIVED

FEB 03 2020

S.C. SUPREME COURT

Demichael Shearvon Razor, # 371594,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Demichael Shearvon Razor, #371594, appeals the Order of Dismissal denying his Application for Post-Conviction Relief filed January 21, 2020, issued by the Honorable Jocelyn Newman, Presiding Judge, Fifth Judicial Circuit.



Jonathan D. Waller

Waller Law Group
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1116 Blanding Street
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ATTORNEY FOR PETITIONER

January 28, 2020

Other Counsel of Record:

Lindsey A. McCallister, Assistant Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3319

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

RECEIVED
FEB 03 2020
S.C. SUPREME COURT

Demichael Shearvon Razor, # 371594,

Appellant,

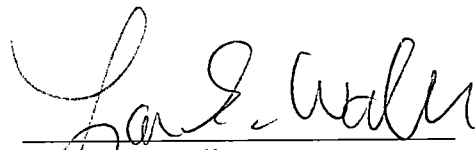
v.

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 E. Waller

January 30, 2020

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

RECEIVED

FEB 03 2020

S.C. SUPREME COURT

Demichael Shearvon Razor, # 371594,

Appellant,

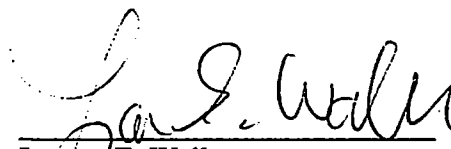
v.

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 E. Waller

January 30, 2020

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2017CP4003776

DeMichael Sheavon Razor (SCDC #371594)

State of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: NEWMAN, J.

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 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
- 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.

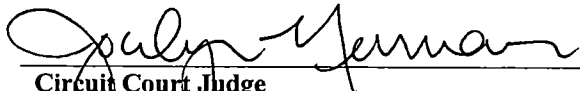
IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

RICHLAND COUNTY
 FILED
 JENNETTE W. WOODRUFF
 CLERK, C.P., D.C., REC.
 2020 JAN 21 PM 3:12

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk :

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

2757
Judge Code

January 16, 2020
Date

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

DeMichael Sheavon Razor (SCDC #371594),

Applicant,

v.

State of South Carolina,

Respondent.

IN THE COURT OF COMMON PLEAS

FOR THE FIFTH JUDICIAL CIRCUIT

Civil Action No. 2017CP4003776

ORDER OF DISMISSAL

JENNIFER W. MERRIDGE
S.C.P., G.S., & F.C.

2020 JAN 21 PM 3:12

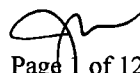
RICHLAND COUNTY
FILED

This matter came before the Court upon Application for Post-Conviction Relief (“PCR”) filed by Applicant DeMichael Razor (“Applicant”) on June 20, 2017. Respondent filed its Return on May 14, 2018. An evidentiary hearing was conducted at the Richland County Judicial Center on December 3, 2018. Applicant was present along with his counsel, Jonathan D. Waller, Esquire; and the State of South Carolina was represented by Assistant Attorney General Lindsey A. McCallister, Esquire.

For the reasons set forth below, the Application for Post-Conviction Relief is DENIED, and this matter is DISMISSED WITH PREJUDICE.

FINDINGS OF FACT

Applicant is currently confined in the South Carolina Department of Corrections (“SCDC”) pursuant to orders of commitment of the Richland County Clerk of Court. During the July 2015 term, the Richland County Grand Jury indicted Applicant for Murder (indictment 2015-GS-40-02923). Applicant was represented by Anastasia Walker, Esquire and Tracy Pinnock, Esquire. Assistant Solicitor Lamar Fyall, Esquire, prosecuted the case.



Page 1 of 12
Order of Dismissal

Razor v. State, 2017CP4003776

On February 27, 2017, before the Honorable Paul M. Burch, Applicant pleaded to the lesser-included offense of Voluntary Manslaughter. Judge Burch sentenced Applicant to a negotiated sentence of thirty years' imprisonment. Applicant did not appeal his conviction or sentence.

On June 20, 2017, Applicant then filed the instant PCR Application, in which he alleges "ineffective assistance of counsel" and that he is being detained unlawfully for the following reasons:

- (a) Counsel was ineffective, failed to adequately investigate the case
- (b) Due process violation as indictment was invalid
- (c) Subject matter jurisdiction, court did not have jurisdiction to try the case

On September 7, 2018, Applicant amended his PCR Application to include the following allegations of ineffective assistance of counsel:

- (a) Counsel was ineffective, failed to properly investigate the facts and circumstances surrounding the allegations against Applicant, thus rendering Applicant's plea unknowingly and involuntarily entered into
- (b) Counsel was ineffective, failed to conduct adequate amount of meetings with Applicant to review discovery so that Applicant would know of the allegations against him and the potential sentences regarding those allegations thus rendering Applicant's plea unknowingly and involuntarily entered into
- (c) Counsel was ineffective, failed to interview and/or subpoena for trail witnesses in Applicant's defense, placing Applicant in a situation to accept a plea offer or proceed to trial with unprepared counsel, thus rendering Applicant's plea involuntarily entered into

At the evidentiary hearing on December 3, 2018, Applicant withdrew his allegations regarding due process and subject matter jurisdiction. He also testified, as did Anastasia Walker, Esquire and Tracy Pinnock, Esquire, both of the Richland County Public Defender's Office. Additionally, this Court had before it a copy of the records of the Richland County Clerk of Court, the PCR Application, Respondent's Return, the plea transcript, the arrest warrant, and indictments:

I. Murder Charge

On or about January 3, 2015, Applicant and four other individuals went to Tony's Lounge, where a confrontation occurred between one of these men (not Applicant) and another individual regarding a stolen marijuana plant. After the confrontation the group left the bar, and a co-defendant gave Applicant a pistol. Applicant attempted to shoot the individual with they were arguing with, but he missed.

The group then went to a private home near the bar, at which time Applicant expressed frustration with the fact that he missed the person he was trying to shoot. Applicant and other individuals returned to the bar, with Applicant wearing a mask over his face. Applicant asked a witness for a cigarette, and the witness could identify Applicant by voice, build, and mannerism. Applicant retreated to the wood line near the private home, and shots were fired from that direction. At that point, according to Applicant's co-defendants, Applicant got on one knee and attempted to shoot the individual again. Instead, he missed and shot the victim through the abdomen. The gentleman from whom Applicant had requested a cigarette returned fire until his clip was empty (approximately twenty shots). None of the co-defendants were harmed.

Law enforcement and emergency medical services became involved, and the co-defendants fled to Applicant's mother's house. According to several witnesses, Applicant demonstrated how he made the shot that ultimately killed the victim, stating that he shot like a police officer so there was no way he could have missed. Applicant's DNA was also found on a pair of sweatpants which matched the description of those thrown from the getaway vehicle. He was ultimately arrested and charged with Murder.



II. Evidentiary Hearing Testimony

During the evidentiary hearing, Applicant testified that Anastasia Walker was appointed as his counsel. He stated that he met with Walker on several occasions, the first time being four to five months after his arrest. Applicant testified that Walker provided him with some discovery and told him she would receive additional discovery, but he did not see anything for several months. Applicant testified that he understood the State's theory of the case was to identify him as the shooter based on statements provided by his codefendants. He recalls that while they did discuss the conflicting statements given by his codefendants, they never discussed the theory of accomplice liability.

Applicant also testified that Tracy Pinnock was subsequently appointed to his case as well. He felt that Walker and Pinnock did not have a defense ready for trial, and stated that he "had words" with Pinnock. Applicant also testified that he moved to have Pinnock relieved as his counsel, but the court denied his request. Despite admitting that he spoke to counsel's private investigator about his case, Applicant disputes that his case was properly investigated. According to Applicant, he was unable to speak freely to the investigator because their meeting was not private or "secure." Nevertheless, Applicant testified he gave the investigator the name of potential witness Lavice Dove, but she was not subpoenaed for trial.

According to Applicant, he pled guilty on the day his trial was scheduled to begin because counsel was not prepared for trial, didn't have a defense for his case, and hadn't given him sufficient legal advice. He testified that if Walker and Pinnock had been properly prepared, he would have gone to trial. Instead, he believed that pleading guilty was the only way to maintain his innocence. Applicant also testified that counsel never explained to him that he would have to serve eighty-five percent of the sentence imposed.

Applicant admits that when he appeared before the Honorable Paul M. Burch (“plea judge”), he stated that he was satisfied with counsel, but he claims that he did so with great hesitation. He also admits telling the plea judge that he did not want to have a jury trial. While Applicant conceded that he signed the plea agreement in this case, he testified that counsel never explained the contents of the document to him.

Pinnock testified that she became involved in Applicant’s case in February 2016 when the case was transferred from Walker to her. She met with Applicant on February 9 and March 7, 2016. During the latter meeting, she reviewed certain discovery documents with Applicant, but discovery was not complete, as she did not yet have forensic or ballistics reports. Pinnock eventually received all necessary discovery and reviewed it with Applicant over the course of approximately twenty-two meetings, which she documented in her case notes. She testified that she was able to maintain a reasonable relationship with Applicant even after he tried to terminate her representation. Pinnock also testified that Walker remained involved in Applicant’s case even after Pinnock became his attorney of record.

According to Pinnock, she was able to develop some potential defenses for Applicant, the nature of which evolved over time, and they spoke about Applicant’s desire to go to trial. She also engaged the services of an investigator, who went to the crime scene, took both aerial and ground photographs, and ultimately located Applicant’s suggested witness, Dove. Pinnock interviewed Dove in Eastover, South Carolina, on January 11, 2017, and subpoenaed her for trial because Pinnock believed that some of her testimony could be helpful to Applicant.

Pinnock testified that throughout her representation, Applicant maintained that he was not the shooter and, at times, admitted to being present when the crime was committed (but sometimes denied being there). The State intended to argue that Applicant was the shooter but would argue,

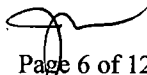
in the alternative, that Applicant was guilty under the theory of accomplice liability. Pinnock was certain that she, therefore, explained accomplice liability and the “hand of one, hand of all” theory to Applicant. According to Pinnock, the State made several plea offers to Applicant, all of which were rejected until after the jury venire was qualified (but before selection of a petit jury). At that time, she again spoke to Applicant, along with Walker, Cheslyne Brightop (another assistant public defender), and Applicant’s mother and stepfather. After that discussion, Applicant decided to plead guilty to voluntary manslaughter.

Walker also testified, corroborating much of Pinnock’s testimony. She stated that she was present on the day of Applicant’s guilty plea and that she reviewed with Applicant the plea affidavit and “advice of rights” form. Walker testified that Applicant’s only hesitation in pleading guilty was because he didn’t want to admit being the shooter. Therefore, she also explained to him that he could instead plead guilty pursuant to his accomplice liability. Walker testified that after their discussion, Applicant decided to plead guilty knowingly and voluntarily.

III. Guilty Plea

On February 27, 2017, Applicant, Walker, and Pinnock appeared before the “plea judge” on Applicant’s agreement to plead guilty to the lesser-included offense of Voluntary Manslaughter in exchange for a negotiated thirty-year sentence.

At the hearing, the State recited the facts as to Applicant’s involvement in the crime, and Applicant agreed with the facts as they were presented. The plea judge explained to Applicant the basic principles of a negotiated sentence and Applicant’s right to a jury trial. After informing Applicant of his constitutional rights, the plea judge accepted Applicant’s guilty plea and imposed the negotiated thirty-year sentence, with Applicant receiving credit for the 787 days already served during pre-trial detention.



CONCLUSIONS OF LAW

The Court has had the opportunity to review the record in its entirety and has heard the testimony and arguments presented at the PCR hearing. The Court has also had the opportunity to observe each witness who testified at the evidentiary hearing and to closely pass upon their credibility, weighing the testimony accordingly.

In a PCR action, “[t]he burden of proof is on the applicant to prove his allegations by a preponderance of the evidence.” *Frasier v. State*, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002) (citing Rule 71.1(e), SCRPC). Where a PCR Application alleges ineffective assistance of counsel as a ground for relief, Applicant must prove that “counsel’s conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result.” *Strickland v. Washington*, 466 U.S. 668 (1984); *Butler v. State*, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985).

First, the applicant must show that counsel’s performance “fell below an objective standard of reasonableness under prevailing professional norms.” *Cherry v. State*, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989) (quoting *Strickland*, 466 U.S. at 690). The proper measure of performance is whether the 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.” *Id.* at 117-18, 386 S.E.2d at 625; *see Strickland*, 466 U.S.

at 688, 692 (“the defendant must show that counsel’s representation fell below an objective standard of reasonableness [and] . . . any deficiencies in counsel’s performance must be prejudicial to the defense in order to constitute ineffective assistance under the Constitution.”); *see also Porter v. State*, 368 S.C. 378, 383, 629 S.E.2d 353, 356 (2006) (“PCR applicant must prove: (1) that counsel failed to render reasonably effective assistance under prevailing professional norms; and (2) that the deficient performance prejudiced the applicant’s case.”).

“Where counsel articulates a valid reason for employing a certain strategy, such conduct will not be deemed ineffective assistance of counsel.” *Watson v. State*, 370 S.C. 68, 72, 634 S.E.2d 642, 644 (2006) (citing *Stokes v. State*, 308 S.C. 546, 419 S.E.2d 778 (1992)). “Counsel’s performance is accorded a favorable presumption, and a reviewing court proceeds from the rebuttable presumption that counsel ‘rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment.’” *Smith v. State*, 386 S.C. 562, 567, 689 S.E.2d 629, 632 (2010) (quoting *Strickland*, 466 U.S. at 690). “Accordingly, when counsel articulates a valid reason for employing a certain strategy, such conduct will not be deemed ineffective assistance of counsel.” *Id.* (citing *Caprood v. State*, 338 S.C. 103, 110, 525 S.E.2d 514, 517 (2000)). “Courts must be wary of second-guessing counsel’s trial tactics; and where counsel articulates a valid reason for employing certain strategy, such conduct will not be deemed ineffective assistance of counsel.” *Whitehead v. State*, 308 S.C. 119, 417 S.E.2d 529 (1992) (citing *Goodson v. U.S.*, 564 F.2d 1071 (4th Cir. 1977)).

I. Involuntary Guilty Plea

Applicant argues that counsel failed to spend adequate time meeting with him in advance of trial. He also contends that counsel did not sufficiently review discovery with him or discuss potential sentences with him, rendering his guilty plea involuntary. The Court disagrees.

In order for the Court to find that a guilty plea is voluntarily and knowingly entered into, the record must establish that 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). Because a guilty plea is a solemn, judicial admission of the truth of the charges against an individual, an applicant's right to contest the validity of such a plea is usually, but not invariably, foreclosed. *Blackledge v. Allison*, 431 U.S. 63 (1977). Statements made during a guilty plea should be considered conclusive unless an applicant presents valid reasons why he should be allowed to depart from the truth of his statements. *Crawford v. U.S.*, 519 F.2d 347 (4th Cir. 1975).

The Court finds the testimony of Walker and Pinnock to be credible. Specifically, Pinnock testified that she made notes of at least twenty-two meetings she had with Applicant. During those meetings, they reviewed and discussed discovery as well as potential defenses. Pinnock testified that Applicant was involved in the development of his defense. In addition, both Pinnock and Walker testified that they met with Applicant on the day of his guilty plea to discuss his options. Walker talked to Applicant about his constitutional rights and completed paperwork with him. During the guilty plea, Applicant told the plea judge that he had discussed the charged with counsel, that he was satisfied with counsel's advice, and that they had answered all of his questions. The plea judge also informed Applicant that voluntary manslaughter is "classified as a violent most serious offense."

The credible evidence before the Court establishes that Applicant pled guilty with full knowledge of the consequences of that plea. Even if the Court were to accept Applicant's

contention that counsel failed to explain his constitutional rights, the allegations against him, or the potential sentence, those topics were explained by the plea judge and in the written plea paperwork. *See, e.g., Pittman v. State*, 337 S.C. 597, 599, 524 S.E.2d 623, 625 (1999). Therefore, this allegation is denied and dismissed with prejudice.

II. Counsel's Failure to Subpoena Witnesses and Investigate

Applicant also contends that counsel was ineffective for failing to properly investigate his case, failing to interview potential witnesses, and being unprepared for trial. Applicant believes that this, too, rendered his guilty plea involuntary. The Court disagrees.

“[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), *rev'd on other grounds*, 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). The South Carolina Supreme Court has repeatedly held that 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, 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. 329, 334, 496 S.E.2d 415, 417 (1998) (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).

Again, the Court finds counsel's testimony to be credible. They testified that they collectively reviewed the State's evidence and theories of the case, potential defenses, and the plea negotiations with Applicant prior to the plea. In addition, Pinnock engaged the services of an investigator and met with Applicant's suggested witness. Both Walker and Pinnock stated that they were prepared for trial. In addition, Applicant has failed to demonstrate that he was prejudiced by any allegedly deficient conduct. Although Applicant alleges his attorneys did not adequately prepare for trial, Applicant presented no evidence of any meritorious defense which could have been presented. Therefore, this allegation is denied and dismissed with prejudice.

CONCLUSION

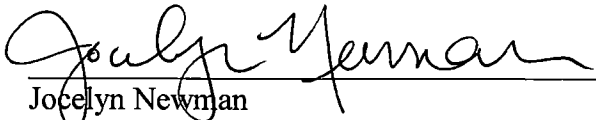
Applicant is hereby notified that he must file and serve any notice of appeal within thirty days from PCR counsel's receipt of written notice of entry of judgment to secure the appropriate appellate review. *See* Rule 203, SCACR. Pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991), Applicant has a right to appellate counsel's assistance in seeking review of the denial of post-conviction relief. Further, Rule 71.1(g), SCRCP, provides that if Applicant wishes to seek

appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Applicant is directed to Rule 243, SCACR, for the appropriate procedures for appealing a judgment in a PCR action.

IT IS, THEREFORE, ORDERED that the Application for Post-Conviction relief is DENIED and DISMISSED with prejudice.

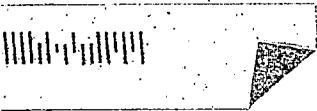
IT IS FURTHER ORDERED that Applicant DeMichael Sheavon Razor be REMANDED to the custody of the State of South Carolina.

AND IT IS SO ORDERED.



Jocelyn Newman
Presiding Judge

January 16, 2020
Columbia, South Carolina.



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Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
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Columbia, SC 29211