

Shawn M. Campbell, Attorney at Law



THE CAMPBELL LAW OFFICES

FACSIMILE TRANSMITTAL SHEET

To:	From:
Daniel Shearouse	Nancy Mierek for Shawn Campbell
Company:	Date:
SC Supreme Court	April 6, 2020
FAX NUMBER	Pages (including cover):
(803) 734-1499	20
Phone Number:	Reference:
(803) 734-1080	Appeal for Michael Williams v SC

Urgent For Review Please Comment Please Reply Reply

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Shawn M. Campbell, Attorney at Law



THE CAMPBELL LAW OFFICES

April 3, 2020

VIA FACSIMILE ONLY (803) 734-1499

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

RE: Michael D. Williams v State of South Carolina
County of Fairfield Case No. 2014-CP-20-0298

Dear Mr. Shearouse:

Attached for filing are the following documents for the above-captioned case:

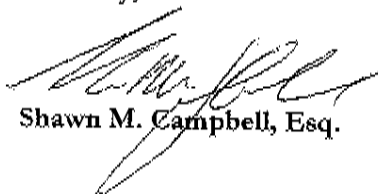
1. A Notice of Appeal;
2. A Proof of Service of the Notice of Appeal;
3. Copy of letter enclosing Notice and Proof of Service to Fairfield Co. Clerk of Court;
4. A copy of the order being challenged on appeal; and
5. A Motion and Order to Proceed in *Forma Pauperis* and for an Extension of Time to Order Transcript with attached affidavit of indigency signed by Michael Williams.

In accordance with the Supreme Court's Order of March 20, 2020 (2020-000447), these documents are being sent by facsimile only without the normal copies. When possible, I would appreciate a return facsimile confirming your receipt.

I have not ordered a transcript as it is my understanding that Appellate Defense will do so. The attorney for the State at this hearing is no longer with the Attorney General's Office, so I am sending the Notice to Assistant Attorney General Samuel L. Key who sent me the final order. I will forward the Court the Notice filed with Fairfield County as soon as it is returned to me.

Please do not hesitate to contact me if you have any questions regarding this filing or if you need any further information.

Sincerely,



Shawn M. Campbell, Esq.

SMC/nm

Enclosures

cc: Samuel L. Key, Assistant Attorney General for the State of South Carolina
S.C. Court Administration
S.C. Commission on Indigent Defense, Appellate Defense

Phone: 864.583.0001 Sender's email: shawn@shawncampbelllawoffices.com
Fax: 864.583.1199

1451 E. Main Street, Suite 1-A
Spartanburg, SC 29307

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FAIRFIELD COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Seventh Circuit Family Court

Fairfield County Case No. 2014-CP-20-0298

Michael D. Williams Applicant

vs.


State of South Carolina Respondent

Of Whom Michael D. Williams is the Appellant

NOTICE OF APPEAL

Michael D. Williams hereby appeals the order of the Honorable R. Markley Dennis, filed March 9, 2020 which was received by the undersigned on March 13, 2020.

April 3, 2020



Shawn M. Campbell, Esq., SC Bar #69696
The Campbell Law Offices, LLC
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Spartanburg, S.C. 29307
Telephone: 864-583-0001
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shawn@shawncampbelllawoffices.com

Other Counsel of Record:

Samuel L. Key, Assistant Attorney General
Attorney General's Office
P.O. Box 11549
Columbia, SC 29211-1549

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FAIRFIELD COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Seventh Circuit Family Court

Fairfield County Case No. 2014-CP-20-0298

Michael D. Williams

Applicant

vs.

State of South Carolina

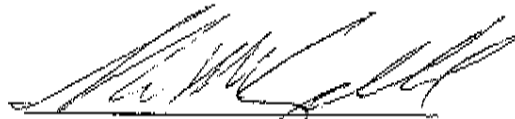
Respondent

Of Whom Michael D. Williams is the Appellant

PROOF OF SERVICE

I hereby certify that a copy of the foregoing Notice of Appeal was served upon all counsel of record and/or unrepresented parties by U.S. Postal Service first class mail, postage prepaid, on this 6th day of April 2020 to the addresses as follows:

April 6, 2020



Shawn M. Campbell, Esq. (SC Bar #69696)
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Other Counsel of Record:

Samuel L. Key, Assistant Attorney General
S.C. Attorney General's Office
P.O. Box 11549
Columbia, SC 29211-1549

Shawn M. Campbell, Attorney at Law



THE CAMPBELL LAW OFFICES

April 3, 2020

The Honorable Judy Bonds
Fairfield County Clerk of Court
PO Drawer 299
Winnsboro, SC 29180-0299

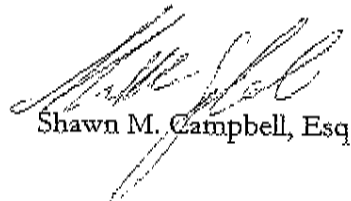
RE: Michael D. Williams v State of South Carolina
County of Fairfield Case No. 2014-CP-20-0298

Dear Ms. Bonds:

Enclosed for filing are an original and one copy of a Notice of Appeal and a Proof of Service of Notice of Appeal for filing with the court. Please stamp the copies and return them to me in the enclosed envelope.

Please do not hesitate to call me if there is any other information you need and thank you for your assistance.

Sincerely,



Shawn M. Campbell, Esq.

SMC/nm

Enclosures

cc: S.C. Supreme Court

STATE OF SOUTH CAROLINA)
COUNTY OF FAIRFIELD)
Michael D. Williams, #351533,)
Applicant,)
v.)
State of South Carolina,)
Respondent.)

IN THE COURT OF COMMON PLEAS
FOR THE SIXTH JUDICIAL CIRCUIT

2014-CP-20-0298

ORDER OF DISMISSAL

2020 MAR -9 AM 10:41
FAIRFIELD COUNTY
CLERK OF COURT
JUDY M. BONDS

This matter is before the Court by way of an action for post-conviction relief (PCR) commenced on August 20, 2014, by Michael D. Williams (Applicant). The State made its return on October 28, 2014. An evidentiary hearing into the matter convened on July 13, 2016, at the Lancaster County Courthouse before this Court. Applicant was present and represented by Shawn Campbell, Esquire. Former Senior Assistant Deputy Attorney General Johanna Valenzuela represented the State.

At the hearing, Applicant testified on his own behalf. Jack B. Swerling, Applicant's trial counsel, also testified. This Court had before it a copy of the records of the Fairfield County Clerk of Court regarding Applicant's convictions, the transcript from Applicant's trial, the PCR application, Respondent's Return, Applicant's records from the Department of Corrections, and Applicant's appellate records. After reviewing the record and evidence presented, this Court finds Applicant has failed to establish any constitutional deprivations entitling him to relief and dismisses the action with prejudice.

I. FACTS & PROCEDURAL HISTORY

Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the Fairfield County Clerk of Court's orders of commitment. Applicant was indicted at the May

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2012 term of the Fairfield County Grand Jury for two counts of first-degree criminal sexual conduct (CSC) with a minor (2012-GS-20-500 and -501), and four counts of lewd act upon a child (2012-GS-20-502 to -505). Applicant was represented by Jack B. Swerling, Esquire (Counsel). Assistant Solicitors Sandra Sutton and Curtisha Mingo prosecuted the case.

Applicant and his wife, Dorothy Williams, ran an at-home daycare center. The State charged Applicant with sexually assaulting two minor children (Minor 1 and Minor 2) who attended the daycare center.

On July 11, 2012, Applicant proceeded to a jury trial before the Honorable Brooks P. Goldsmith. At the time of trial, Minor 1 was eleven, and Minor 2 was seventeen. Tr. 67; 116. Minor 1 testified she has two sisters and three brothers. Minor 1 and Minor 2 are sisters. Tr. 67. Minor 1 testified that Applicant touched her in ways she did not like. Tr. 70. She testified Applicant's wife, Dorothy Williams, baby-sat her for a couple of years. Tr. 70. Minor 1 also testified the inappropriate touching occurred inside Applicant's home. Minor 1 specifically recalled Applicant touching her in the computer room and in Applicant's bedroom. Tr. 71.

Minor 1 recalled the incident in the computer room describing she was sitting on Applicant's lap when he put his hand down her pants. Tr. 72. Applicant touched her and she told him it hurt, Applicant then stated to her, "It's supposed to feel good." Tr. 71. Further, Minor 1 told Applicant, "If you don't stop I'm going to go tell Dorothy." Tr. 71. Minor 1 then attempted to get off Applicant's lap, but Applicant "pulled [her] back in the chair." Tr. 71. Minor 1 testified Applicant on this occasion touched her skin outside her vagina. Tr. 78. Minor 1 testified that after Applicant touched her, "[she] just played on the computer." Tr. 78

Minor 1 also recalled a second incident which occurred in Applicant's bedroom. Tr. 79. Minor 1 testified she, another child, and Applicant were laying on the bed watching TV. Tr. 79.

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She recalled Applicant was laying in-between herself and the other child on the bed, and that it was daytime when the incident occurred. Tr. 79. Minor 1 recalled, “[Applicant] took his hand and put it down my pants.” Tr. 79. Minor 1 testified the touching only occurred in the computer room and in the bedroom. Tr. 80.

Minor 2 also claimed Applicant inappropriately touched her when she was at his home. Tr. 119. She recalled Applicant fondling her in the computer room, in his bed, and in the backyard swimming-pool. Tr. 119. Minor 2 testified that on one occasion, she and Applicant were in the swimming pool, when Applicant was “just kind of holding me a little bit and then he put his finger down in my bikini, then he put his finger inside me.” Tr. 120. She recalled, “After he stopped we just went on, nothing really happened.” Tr. 121.

Additionally, Minor 2 stated Applicant digitally penetrated her while in the computer room. Minor 2 testified she was sitting on Applicant’s lap in the computer room when Applicant “stopped doing something on the computer and then he put his hand back down my pants.” Tr. 122. She stated “he put his hand down my pants and started rubbing me and then he progressed to start putting his finger inside me.” Tr. 122.

Minor 2 recalled a third incident when she was over at Applicant’s house spending the night with Applicant’s granddaughter (Child 1). Minor 2 recalled she, Child 1, and Applicant were laying on Applicant’s bed and “we were about to go to sleep and it was on [Applicant’s] bed” Tr. 123. She testified, “when [Applicant] thought I was asleep he started going down my pants or under what I was wearing and rubbing me and fingering me.” Tr. 123

The jury convicted Applicant as indicted. Judge Goldsmith sentenced Applicant to serve concurrent terms of twenty-five years’ imprisonment for each first-degree CSC with a minor charge, and fifteen years’ imprisonment for each lewd act charge. Applicant appealed.

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Appellate Defender David Alexander represented Applicant on appeal and presented the following issue to the Court of Appeals:

Whether the trial court erred because it excluded undisputed evidence that [the victim's] stepbrother had sexually abused her when such evidence was relevant to the integrity of the investigation and forensic interview, to show an independent source of [the victim's] sexual knowledge, and [the victim's] mother falsely denied that such abuse occurred?

The Court of Appeals affirmed on July 23, 2014. *State v. Michael D. Williams*, 409 S.C. 455, 761 S.E.2d 770 (2014). The case was remitted back to the circuit court on August 8, 2014.

Applicant timely commenced this PCR action on August 20, 2014.

II. ISSUES

Applicant claims he is unlawfully in custody, alleging:

1. Ineffective assistance of trial counsel:
 - a. Failure to object and preserve issues.
2. Ineffective assistance of appellate counsel:
 - a. Failure to argue the correct issues on appeal.

At the outset of the PCR hearing, Applicant, through counsel, waived his allegation of ineffective assistance of appellate counsel. Therefore, this Court finds Applicant's allegation of ineffective assistance of appellate counsel have been waived and abandoned, and this Court dismisses that allegation with prejudice.

III. DISCUSSION

This Court has reviewed the record and heard the testimony at the PCR hearing. This Court has observed the evidence and 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.

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To establish ineffective assistance of counsel, the PCR applicant must prove (1) counsel's performance fell below an objective standard of reasonableness, and (2) the applicant sustained prejudice as a result of counsel's deficient performance. *Strickland v. Washington*, 466 U.S. 668, 687-88 (1984); *Cherry v. State*, 300 S.C. 115, 117-18, 386 S.E.2d 624, 625 (1989). "The test for effective assistance of counsel is whether the representation was within the range of competence demanded of attorneys in criminal cases." *Watson v. State*, 287 S.C. 356, 357, 338 S.E.2d 636, 637 (1985). To establish prejudice, the applicant must prove "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.

In his original PCR application, Applicant alleged ineffective assistance of counsel for failing to object and preserve issues for appeal. Applicant did not amend or move to amend his allegations to conform to the evidence presented. Additionally, Applicant presented no evidence to support this claim and did not specify where in the record Counsel failed to object. As such, the Court finds Applicant has wholly failed to meet his burden of proof on this allegation, and the allegation is denied and dismissed with prejudice.

However, at the PCR hearing, there was testimony regarding (1) Counsel's advice whether to present a defense at trial, and (2) Counsel's decision not to call witnesses in Applicant's defense. Even though Applicant did not amend or conform to the evidence presented as to these allegations, the Court will address these issues as they were the focus of the proceeding. For the reasons discussed below, the Court finds Counsel was not ineffective in advising Applicant whether to present a defense at trial, and Counsel was not ineffective for failing to call witnesses in Applicant's defense.

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1. Advice regarding whether to present a defense

Counsel was not ineffective for advising Applicant they did not need to present their prepared defense because the State, in Counsel's opinion, had not proven anything beyond a reasonable doubt.

No particular set of detailed rules for counsel's conduct can satisfactorily take account of the variety of circumstances faced by defense counsel or the range of legitimate decisions regarding how best to represent a criminal defendant. *Strickland*, 466 U.S. at 688-689. "Representation is an art, and an act or omission that is unprofessional in one case may be sound or even brilliant in another." *Id.* at 691. Therefore, judicial scrutiny of counsel's performance must be highly deferential. *Id.* at 689. Where counsel articulates a valid strategic reason for his action or inaction, counsel's performance should not be found ineffective. *Roseboro v. State*, 317 S.C. 292, 454 S.E.2d 312 (1996); *Underwood v. State*, 309 S.C. 560, 425 S.E.2d 20 (1992); *Stokes v. State*, 308 S.C. 546, 419 S.E.2d 778 (1992).

Applicant testified Counsel had conducted a thorough investigation preparing the case for trial and had a lot of information to present in defense, but Counsel did not present any of the information at trial. PCR Tr. 11. Applicant testified that after the second day of trial, Counsel called him and asked for his permission to rest their case after the State rested because "[the State] had failed to prove anything beyond a reasonable doubt." PCR 12-13. Applicant testified he agreed to Counsel's proposed strategy. PCR Tr. 13. Applicant testified Counsel told him the reason Counsel wanted not to present a defense was so Counsel would preserve the last closing argument before the jury. PCR Tr. 13.

Counsel testified he and his investigators interviewed thirty-four people in preparing for trial, and Counsel subpoenaed twenty-two people to be defense witnesses at trial. PCR Tr. 23.

The subpoenaed witnesses were different fact witnesses, expert witnesses, and character witnesses. PCR Tr. 22-26. Counsel testified the way the State presented its case, he felt “the evidence went up about as good as we could get.” PCR Tr. 29. Counsel testified he felt this way because both victims testified differently. PCR Tr. 29. Counsel testified that in one of the victim’s forensic interviews, “she described . . . something that looked unusual. She described to me what was an uncircumcised penis.” PCR Tr. 25. Counsel testified, however, that neither victim testified at trial “that they saw a penis and that it was uncircumcised.” PCR Tr. 25. Counsel stated he spoke to Applicant, and Applicant told him that he was in fact uncircumcised. PCR Tr. 25. Counsel testified he did not want to call any witnesses to the stand that could testify that Applicant was uncircumcised. PCR Tr. 25. Counsel reasoned calling such witness “would have been dangerous, because how would that young lady know what his penis looked like unless what she was saying [was] true.” PCR Tr. 26.

Counsel stated there were “numerous inconsistencies that were pointed out on cross examination of both [victims], and he was able to infer to those inconsistencies during closing argument.” PCR. Tr. 30. Counsel testified the victims’ inconsistent testimony was why he felt having the final closing argument was important. PCR Tr. 30. Further, Counsel testified “one of the benefits of last argument is . . . that you can tie up everything and the solicitor does not have an opportunity to respond.” PCR Tr. 31.

Applicant has failed to show Counsel’s advice to rest and save the last closing argument was deficient. “The test for effective assistance of counsel is whether the representation was within the range of competence demanded of attorneys in criminal cases.” *Watson*, 287 S.C. at 357, 338 S.E.2d at 637. The Court finds, based on Counsel’s credible testimony, he advised Applicant of the risks and benefits of presenting a defense at trial. Counsel credibly testified he

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had several witnesses he could have called in defense, but he felt presenting more evidence could harm the defense. Specifically, if Applicant had testified, the State could have asked if he was circumcised, which Counsel knew Applicant was not, and that testimony would have corroborated the victim's description of Applicant's penis. Based on Counsel's credible testimony, Counsel reasonably advised Applicant against testifying or presenting a defense. Additionally, the Court finds credible Counsel's testimony it was ultimately Applicant's decision not to testify. Based on the above, the Court finds Counsel was not deficient for advising Applicant to rest the case instead of present a defense.

Because Counsel's advice whether to present a defense was reasonable, and the decision to testify was Applicant's decision, Counsel's advice was not constitutionally ineffective. Therefore, this allegation is denied and dismissed with prejudice.

2. Decision not to call witnesses

Applicant claims Counsel was ineffective for failing to call certain witnesses at trial. As noted above, Counsel's advice regarding whether to present a defense was reasonable, and Applicant agreed with Counsel's strategy not to present a defense. Even so, Applicant has failed to show any prejudice resulted from Counsel's alleged failure to call witnesses because none of the witnesses testified at the PCR hearing. *See Glover v. State*, 318 S.C. 496, 498-99, 458 S.E.2d 538, 540 (1995) (stating to support a claim that trial counsel was ineffective for failing to call potential witnesses, "a PCR applicant must produce the witnesses at the PCR hearing or otherwise introduce the witnesses' testimony" because "[t]he applicant's mere speculation about what the witnesses' testimony would have been cannot, by itself, satisfy the applicant's burden of showing prejudice"). Therefore, anything the witnesses would have testified to had they been

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called at trial is mere speculation because they did not testify at the PCR hearing. As such, this allegation is denied and dismissed with prejudice.

IV. CONCLUSION

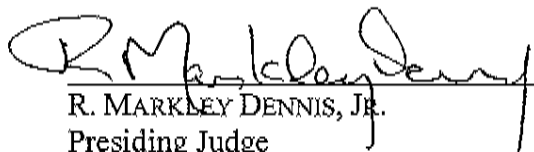
Based on all the foregoing, this Court finds and concludes that Applicant has not established any violations that would require this Court to grant his application. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

This Court notifies Applicant that he must file and serve a notice of appeal within thirty (30) days from receipt by counsel of written notice of entry of judgment to secure the appropriate appellate review. *See* Rule 203, SCACR. An applicant has a right to an appellate counsel's assistance when they are seeking review of the denial of PCR. *Austin v. State*, 305 S.C. 453 (1991). If an applicant wishes to seek appellate review, PCR counsel must serve and file a Notice of Appeal on the Applicant's behalf. *See* Rule 71.1 (g), SCRCP. Refer to Rule 243 of the South Carolina Appellate Court Rules for appropriate procedures for appeal.

IT IS THEREFORE ORDERED THAT:

1. The PCR action is denied and dismissed with prejudice;
2. Applicant shall remain in the custody of the South Carolina Department of Corrections to complete service of his sentence.

AND IT IS SO ORDERED this 15th day of Jan, ~~2019~~ ²⁰²⁰


R. MARKLEY DENNIS, JR.
Presiding Judge
Sixth Judicial Circuit

Charleston, South Carolina

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THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FAIRFIELD COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Seventh Circuit Family Court

Fairfield County Case No. 2014-CP-20-0298

Michael D. Williams

Applicant

vs.

State of South Carolina
Of Whom Michael D. Williams is the Appellant

Respondent

ORDER

_____ Leave is granted for the Appellant to proceed *in forma pauperis*.

_____ The Appellant will receive an extension of time to _____, 2020 to order the transcript for this appeal.

_____ Leave is denied for the Appellant to proceed *in forma pauperis*. The Appellant will pay the \$100.00 filing fee on or before the _____ day of _____, 2020 and will be responsible for any other associated costs. Failure to do so may result in the dismissal of the appeal.

_____ The Appellant is not granted an extension of time to order the transcript for the appeal.

AND IT IS SO ORDERED, this _____ of _____, 2020

PRESIDING JUDGE
SOUTH CAROLINA SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FAIRFIELD COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Seventh Circuit Family Court

Fairfield County Case No. 2014-CP-20-0298

Michael D. Williams Applicant

vs.

State of South Carolina Respondent

Of Whom Michael D. Williams is the Appellant

MOTION AND ORDER DENYING OR
GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS AND SEEKING EXTENTION
OF TIME TO FILE A REQUEST FOR TRANSCRIPT

THE APPELLANT, by and through the undersigned attorney, comes before the Court and respectfully requests that he be allowed to proceed in this appeal as an indigent party and that the usual filing fees be waived in this appeal. The Appellant so moves based upon the following facts and circumstances:

1. The underlying case is a Post-Conviction Relief case. The hearing was held on July 13, 2016 and the Order of Dismissal was filed on March 9, 2020 and was received by the Appellant's attorney on March 13, 2020.
2. The undersigned attorney represented the Appellant in his Post-Conviction Relief Hearing.
3. The Appellant has made known his desire to file an appeal and has directed the undersigned attorney to file a Notice of Appeal.

4. The Appellant has been incarcerated since 2012 and is without funds to pursue an appeal. He requests he be granted leave to proceed in this matter *in forma pauperis* and the normal fees be waived. Attached to this motion is the Appellant's affidavit of indigency supporting this request.
5. The Appellant intends to request the South Carolina Commission of Indigent Defense to pursue this Appeal. The Appellant is informed and believes that the Appellate Division of the Commission of Indigent Defense will order and obtain the transcript for the hearing in question if this motion is granted. He therefore requests an extension of time to order the transcript as his Appellate Defense attorney may not be able to accept his case and order the transcript until after this motion may be granted, which may exceed the ten day time limit prescribed by the appellate rules.

The Appellant does hereby move this 3rd day of April, 2020



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SC Bar #69696
The Campbell Law Offices, LLC
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Spartanburg, South Carolina 29307
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864.583.1199 (Fax)
shawn@shawncampbelllawoffices.com

Dated: 4/3/2020
Spartanburg, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF Fairfield

AFFIDAVIT OF INDIGENCY

Case Name State v Michael D. William

Criminal Case No. 2014-CP-20-0298

Current Address: Perry Correctional Inst, #1A-104, 430 Oaktown Rd, ^{S.C.} ₂₉₂₀₇

Are you incarcerated? Yes (If "Yes") Where? Perry Correctional Inst.
 No

What were you convicted of? CSC 1ST X 2 Level A x 4

What was your sentence? 25 years for CSC 1, and 15 years ^{concurrent} Level A x 4

In what county was this hearing held? Laurens

Presiding Judge's name? R Martley Dennis Jr.

Date of hearing? Aug 20, 2014

Are you appealing from a trial, guilty plea or from a post-conviction relief hearing? PCR

Were you represented by a court-appointed attorney, public defender, or retained counsel?

Retained Counsel

Name of attorney/public defender? Shawn Campbell

If retained, how much did you pay for attorney fees? \$ 10,000.00

If you still owe money to your attorney, how much? \$ 0

1. Are you presently employed? Yes No

a. If "yes," state the amount of your salary or wages per month, and give the name and address of your employer.

b. If "no," state the name and address of last employment, date of termination of employment, and amount of your salary or wages per month. Chester County EMS 193 Columbia St, Chester S.C. 29706 34,000.00 / year

2. List by name, age and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support. None

3. Have you received within the past twelve months any money from any of the following sources?

- a. Business, profession or form of self-employment? Yes No
- b. Rent payments, interest or dividends? Yes No
- c. Pensions, annuities or life insurance payments? Yes No
- d. Gifts or inheritance? Yes No
- e. Any other sources? Yes No

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

Gifts Family anywhere from 50.00 TO 100.00 dollars

4. Do you own cash, or do you have any money in a checking or savings account? Yes No

If the answer is "yes," state the total amount of the cash owned. \$ _____

5. Do you own any real estate, stocks, bonds, notes or other valuable property (excluding ordinary household furnishings and clothing)? Yes No

If the answer is "yes," describe the property and state the appropriate value of the items owned. _____

6. What kind of motor vehicle do you own? None

Is it paid for? Yes No
If not, what are the monthly payments? \$ _____

7. How much do you owe (on liens, mortgages, other encumbrances or debts)? None

I do solemnly swear that the account by me delivered into this Court does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I, or any person in trust for me, have or at the time of my possession had, or am, or was, in respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand that the State shall file a claim against me in an amount equal to the cost for representation, but that such claim shall not constitute a lien against my property, unless, the claim is reduced to judgment by the Order of the Court after giving me at least thirty days' notice.

Under penalty of perjury, I certify that the information give by me on this affidavit is true and correct, and I understand that I will be subject to civil and/or criminal penalties if I knowingly furnish false information.

I am financially unable to employ counsel.

This 23 day of March, 2020

Michael DeWille
Defendant

I understand that I am entitled to at least thirty days' notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This 23 day of March, 2020

Michael DeWille
Defendant

SUBSCRIBED AND SWORN to before
me this 23 day of March 2020

Tamara Conwell
NOTARY PUBLIC FOR SOUTH CAROLINA

My commission Expires: My Commission Expires
September 25, 2023

RECEIVED

MAR 23 2020

P.C.I. MAILROOM