

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF CHEROKEE) FOR THE SEVENTH JUDICIAL CIRCUIT
))
Irven Myers,) Case No.: 2018-CP-11-00268
S.C.D.C. No. 201410,)
))
Applicant,)
))
v.) **CONDITIONAL ORDER OF DISMISSAL**
))
State of South Carolina,)
))
Respondent.)

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.
2019 AUG 28 AM 11:08
BRANDY W. MCBEE

This matter comes before the Court by way of an application for post-conviction relief filed by Irven Myers (Applicant) on April 25, 2018. Respondent made its Return, requesting the application be summarily dismissed.

I. PROCEDURAL HISTORY

Applicant is confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Cherokee County Clerk of Court. Applicant was indicted at the July 1992 term of the Cherokee County Grand Jury for murder (1992-GS-11-00730). Applicant was further indicted at the July 1993 term for burglary, first degree (1993-GS-11-00615). Don Leeter and Bill Winter, Esqs., represented Applicant. The State sought the death penalty.

On August 30, 1993, Applicant proceeded to trial before the Honorable Gary E. Clary and a jury. The jury found Applicant guilty as indicted on September 8, 1993. At the conclusion of the sentencing phase on September 10, 1993, the jury recommended the Court sentence Applicant to life imprisonment. Judge Clary sentenced Applicant to imprisonment for concurrent terms of life on each charge, with no possibility of parole for a term of thirty years.

Applicant filed a timely notice of appeal and a direct appeal was perfected by Daniel T. Stacey, Esq., who raised the following issue:

Whether the trial judge had the authority to recall the jury after having previously discharged them, in order to have them find aggravating circumstances to make appellant's sentence one of thirty years without parole?

The parties proceeded to oral arguments on May 2, 1995. Attorney Stacey represented Applicant. Norman Mark Rapoport, Esq., of the South Carolina Attorney General's Office, represented the State. By opinion decided July 3, 1995, the South Carolina Supreme Court affirmed Applicant's convictions. State v. Myers, 318 S.C. 549, 459 S.E.2d 304 (1995). The Remittitur was issued on July 19, 1995.

First PCR Application: 1997-CP-11-00072

Applicant filed his first application for post-conviction relief on February 14, 1997 (1997-CP-11-00072). He alleged the following grounds for relief in his application:¹

1. Ineffective assistance of trial counsel;
2. Ineffective assistance of appellate counsel;
3. Double jeopardy;
4. Denial of access to the courts; and
5. Obstruction of justice.

Respondent made its return and motion to dismiss on May 23, 1997, arguing the application was not timely filed. By written order dated June 4, 1997, and filed July 23, 1997, the Honorable Larry R. Patterson denied and dismissed the application.

Applicant filed a timely notice of appeal and a petition for writ of certiorari was filed on Applicant's behalf by the South Carolina Office of Appellate Defense, which raised the following issues:

¹ As restated in the Report and Recommendation of the Honorable Joseph R. McCrorey, United States Magistrate Judge, in Applicant's subsequent federal habeas action.

1. Whether the legislature intended the statute of limitations for post-conviction relief actions, as set forth in S.C. Code Ann. Sec. 17-22-45(A), to bar prospective claims only.
2. Whether the lower Court erred as a matter of law in its application of the Uniform Post-Conviction Procedure Act as construed by the South Carolina Supreme Court.

On January 27, 1999, the Supreme Court of South Carolina denied the petition by letter order.

The Remittitur was issued on February 22, 1999.

Federal Habeas Petition: 3:99-0969-19BC

Applicant subsequently filed a *pro se* Petition for Habeas Corpus under 28 U.S.C. § 2254 on April 3, 1999 (C.A. No. 3:99-0969-19BC). In his Petition, Applicant set forth the following grounds for relief:

1. "Jury should not have been allowed to reconvene after being dismissed, to find aggravating circumstances."
 - a. "Jury returned guilty verdict w/out any aggravating circumstances-setting parole at 20 years. – Judge discharged the jury – after discussing the case w/a S.L.E.D. Agent and other people – stated they had found aggravating circumstances and judge recalled jury -- imposed 30 yr. parole date on aggravating circumstances."
2. "Ineffective assistance of trial counsel in failing to get coerced confession suppressed."
 - a. "Trial counsel refused to move to suppress *coerced* confession that was obtained after numerous hours of badgering by police and was not a voluntary confession. Inter alia confession was produced by threats, promises, inducements as to render it involuntary. This was the sole evidence relied upon."
3. "Fed court should review merits of Petition notwithstanding any procedural bar."
 - a. "[Collateral] review was denied to Petitioner without benefit of [an] evidentiary hearing to determine whether Applicant was notified of his denial of direct appeal to toll statute of limitations. Petitioner has [an] I.Q. of 75 and cannot read or write, failure to consider claim of jury issue – and coerced confession would result in a fundamental miscarriage of justice."
4. "Actual innocence of charge."
 - a. "Petitioner is actually innocent of this charge and can produce evidence that was not known at time of trial that will show [an] alibi defense, he has receipts and testimony to provide – that failure to have evidentiary hearing on collateral review kept him from presenting this evidence."

Respondent filed its Return and Motion for Summary Judgment on May 19, 1999. The Honorable Joseph R. McCrorey, United States Magistrate Judge, issued on August 30, 1999 a Report and Recommendation that Respondent's motion for summary judgment be granted. The Honorable Dennis W. Shedd, United States District Judge, denied Applicant's Petition on October 14, 1999, and accepted the Report and Recommendation for summary judgment. Applicant gave notice of his appeal to the Fourth Circuit Court of Appeals, which dismissed Applicant's appeal on September 6, 2000, as not timely filed. Myers v. Catoe, 229 F.3d 1143 (4th Cir. 2000).

Second PCR Application: 2001-CP-11-00492

Applicant filed his second application for post-conviction relief on September 10, 2001 (2001-CP-11-00492). He alleged the following grounds for relief in his application (excerpted verbatim):

1. "Trial court Lacked subject matter jurisdiction over the murder charge."
 - a. "The trial court lacked subject matter jurisdiction to enter a conviction or impose sentence for Murder because of the defects in the indictment in the instant case."

Respondent made its return and motion to dismiss on August 15, 2002, arguing the allegation was without merit as a matter of law. An evidentiary hearing was convened before the Honorable Larry R. Patterson on June 9, 2003. Applicant was present at the hearing and represented by Wesley Stoddard, Esq. Christopher L. Newton, of the South Carolina Attorney General's Office, represented Respondent. By written order dated August 18, 2004, and filed August 27, 2004, Judge Patterson denied relief and dismissed the application as untimely, successive, and as without merit as a matter of law. Applicant did not appeal the order dismissing the application.

Third PCR Application: 2012-CP-11-00685

Applicant filed his third application for post-conviction relief on September 26, 2012 (2012-CP-11-00685). He alleged the following grounds for relief in his application:

1. "Denial of due process and fundamental fairness"
 - a. "The sentence exceeds the maximum authorized by law"
 - b. "Denial of Right to a Jury."
2. "After discovered evidence"
 - a. "There are evidence of material facts not previously presented and heard that requires vacation of the conviction and sentence in the interest of justice."

Respondent made its return and motion to dismiss on August 26, 2013, arguing the application was successive and untimely. On October 3, 2013, the Honorable Roger L. Couch issued a Conditional Order of Dismissal. The Honorable J. Derham Cole thereafter issued a Final Order on February 24, 2014, dismissing the matter with prejudice.

II. CURRENT APPLICATION

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

1. "Newly Discovery"
 - a. "Death Penalty is Unconstitutional for Juveniles"
 - b. "Inability to Deal with Police and Prosecutors"
 - c. "Murder Conviction Violates (Eight [Amendment])"
 - d. Applicant cites to Roper v. Simmons, 543 U.S. 551 (2005); Miller v. Alabama, 567 U.S. 460 (2012); and Bear Cloud v. State, 334 P.3d 132 (2014).

Applicant requests relief as follows:

- "Murder Charge and Burglary Charge Conviction (Vacated)"

Before this Court are the Cherokee County Clerk of Court records regarding the subject convictions, Applicant's records from the South Carolina Department of Corrections, the opinions of the Court from each of Applicant's prior appeals, the final orders of Applicant's previous PCR and federal habeas actions, and the records of this current PCR action.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the pleadings, the records submitted to it by the parties, and the applicable law. Pursuant to S.C. Code Ann. §§ 17-27-70 and -80, this Court informs the parties of its intent to dismiss the application based upon the following findings:

Miller v. Alabama Inapplicable

Applicant's allegations appear to contend that he should be entitled to some relief under Miller v. Alabama and other such cases addressing the mandatory imposition of sentences for life without parole on juveniles. The Court finds that Applicant's contention is without merit as a matter of law. Neither Miller nor any of its progeny provide any relief where, as here, a juvenile was sentenced to life *with* the possibility of parole. See Miller, 567 U.S. at 471 (explaining because juveniles have diminished culpability and greater prospects for reform, they are less deserving of the most severe punishments) (citations omitted); State v. Finley, Op. No. 5665 (S.C. Ct. App. filed July 17, 2019) (Shearouse Adv.Sh. No. 29 at 27).² The United States Supreme Court cases addressing the impropriety of mandatory juvenile life sentences are limited to their factual scenarios, and cannot be extended in their reach by this or any other state court. See State v. Slocumb, 426 S.C. 297, 306, 827 S.E.2d 148, 153 (2019) (“[A] long line of Supreme Court precedent prohibits [the Supreme Court of South Carolina] from extending federal constitutional protections beyond the boundaries the Supreme Court itself has set.”).

Furthermore, the basic reasoning of Miller is unavailing to Applicant. The requirement reaffirmed in Miller is that juvenile offenders must be provided “some meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation[.]” 567 U.S. at 479 (quoting Graham v. Florida, 560 U.S. 48, 75 (2010)). Indeed, simply providing the opportunity for parole

² A petition for rehearing remains pending before the Court of Appeals in Finley.

to juveniles sentenced to life imprisonment was the Supreme Court's first suggested cure for juvenile LWOP sentences. Montgomery v. Louisiana, 136 S.Ct. 718, 736 (2016).

According to S.C.D.C. records, Applicant becomes parole eligible on September 10, 2023. He will at that time be afforded the "meaningful opportunity to obtain release" required under the United States Constitution. He is entitled to no more. Accordingly, Applicant's claim is without merit as a matter of law, and the Court shall summarily dismiss the application.

Statute of Limitations

The Court finds the application must also be summarily dismissed for failure to comply with the filing procedures of the Uniform Post-Conviction Procedure Act. S.C. Code Ann. § 17-27-10 to -160. Specifically, the act requires as follows:

An application for relief filed pursuant to this chapter must be filed within one year after the entry of a judgment of conviction or within one year after the sending of the remittitur to the lower court from an appeal or the filing of the final decision on appeal, whichever is later.

S.C. Code Ann. § 17-27-45(A). The South Carolina Supreme Court has held that the statute of limitations shall apply to all applications filed after July 1, 1996. Peloquin v. State, 321 S.C. 468, 469 S.E.2d 606 (1996).

Applicant was convicted on September 10, 1993, and the remittitur from his direct appeal issued on July 19, 1995. The current application was not filed until April 25, 2018—well after the one-year statutory filing period expired. Therefore, the Court shall summarily dismiss the application as barred by the statute of limitations.

Successive

The Court finds the application must also be summarily dismissed because it is successive to Applicant's previous PCR application. Courts disfavor successive applications and place the burden on applicants to establish that any new ground raised in a subsequent

application could not have been earlier raised in a previous application. Foxworth v. State, 275 S.C. 615, 274 S.E.2d 415 (1981); Arnold v. State, 309 S.C. 157, 420 S.E.2d 834 (1992). Section 17-27-90 of the South Carolina Code states:

All grounds for relief available to an applicant under this chapter must be raised in his original, supplemental, or amended application. Any ground finally adjudicated or not so raised, or knowingly, voluntarily, and intelligently waived in the proceeding that resulted in the conviction or sentence or in any other proceeding the applicant has taken to secure relief, may not be the basis for a subsequent application, unless the court finds a ground for relief asserted which for sufficient reason was not asserted or was inadequately raised in the original, supplemental, or amended application.

Under this statute, successive post-conviction relief applications are forbidden unless an applicant can indicate a “sufficient reason” why new grounds for relief were not raised or were not properly raised in previous applications. Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991). Any new ground raised in a subsequent application is limited to those grounds that “could not have been raised ... in the previous application.” Id. at 450, 409 S.E.2d at 394. If the applicant could have raised these allegations in a previous application, then the applicant may not raise those grounds in successive applications. Id. Applicant bears the burden of showing the allegations could not have been previously raised. Land v. State, 274 S.C. 243, 262 S.E.2d 735 (1980).

Applicant’s current allegations were or could have been raised in the proceedings based on Applicant’s prior application for post-conviction relief: Miller was decided June 25, 2012, three months before Applicant filed his prior application. Thus, the current application is successive and barred under S.C. Code Ann. § 17-27-90. Applicant has failed to establish any sufficient reason why he could not have raised his current allegations in his previous application for post-conviction relief. Therefore, he has failed to meet the burden imposed upon him, and the Court shall dismiss the application as successive to Applicant’s previous PCR application.

Laches

The Court finds the application must also be dismissed as barred by the equitable doctrine of laches. To ensure finality of litigation, our courts require reasonable diligence in pursuing collateral relief. McElrath v. State, 276 S.C. 282, 283, 277 S.E.2d 890 (1981). Requiring reasonable diligence “guards the state’s legitimate expectation that it will not be called upon without due cause, to defend the integrity of convictions that occurred many years ago, where records and witnesses are no longer available.” Id. (quoting Honeycutt v. Ward, 612 F.2d 36, 42 (2nd Cir. 1979)). Where an applicant for post-conviction relief fails to exercise reasonable diligence, the State may seek the summary dismissal through the equitable doctrine of laches, which is defined as “neglect for an unreasonable and unexplained length of time, under circumstances affording opportunity for diligence, to do what in law should have been done.” Bray v. State, 366 S.C. 137, 140, 620 S.E.2d 743, 745 (2005) (quoting Whitehead v. State, 352 S.C. 215, 219, 574 S.E.2d 200, 202 (2002)). “Whether a claim is barred by laches is to be determined in light of the facts of each case, taking into consideration whether the delay has worked injury, prejudice, or disadvantage to the other party; delay alone in assertion of right does not constitute laches.” Id.

Applicant seeks post-conviction relief more than 25 years after his conviction. Absent some explanation or justification for the delay in seeking post-conviction relief, laches will prevent an applicant from seeking collateral review of his conviction, especially where the delay affects the availability of evidence to review the applicant’s claims. McElrath, 276 S.C. at 283, 277 S.E.2d at 890. Applicant has offered no justification for the delay. Because of the delay, witness memories and physical evidence will have naturally faded and degraded. See, e.g., Bray, 366 S.C. at 140, 620 S.E.2d at 745 (affirming PCR judge’s ruling that laches barred belated

review of denial of PCR seven years after PCR hearing was held); State v. Serrette, 375 S.C. 650, 654 S.E.2d 554 (Ct. App. 2007) (declining to remand for reconstruction of record noting such remedy “would undoubtedly be futile considering the passage of over ten years' time” when the delay was caused by appellant). As a result, Applicant's delay in bringing this action has affected the availability of evidence for this Court to review his claims. Therefore, the Court shall summarily dismiss the application as barred by the equitable doctrine of laches.

IV. CONCLUSION

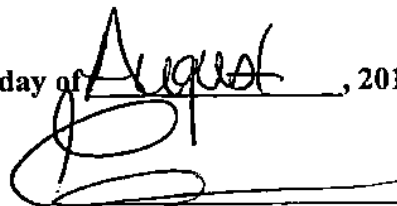
Pursuant to S.C. Code Ann. § 17-27-70(b), the Court intends to dismiss this application with prejudice unless Applicant provides specific reasons, factual or legal, why the application should not be dismissed in its entirety. Applicant is granted twenty (20) days from the date of service of this Order upon him to show why this Order should not become final. Applicant shall file any reasons he may have with the Cherokee County Clerk of Court and shall serve opposing counsel at the following address:

Office of the Attorney General
Johnny E. James, Jr., Esquire
PCR Division – 7th Circuit
P.O. Box 11549
Columbia, South Carolina 29211

Applicant is cautioned that his response to this order must be actually received by the Cherokee County Clerk of Court and opposing counsel within twenty (20) days from the date of the service of this Order, and that the Court will not consider any issues raised in his response if not so timely filed and served.

AND IT IS SO ORDERED this 23 day of August, 2019.

Spartanby, South Carolina


GRACE G. KNIE
Chief Judge for Common Pleas
Seventh Judicial Circuit



ALAN WILSON
ATTORNEY GENERAL

August 21, 2019

The Honorable Grace Gilchrist Knie
Chief Administrative Judge
180 Magnolia Street
Spartanburg, SC 29306

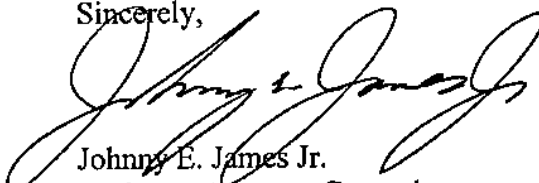
RE: Irven Myers, #201410 v. State of South Carolina
2018-CP-~~42~~-00268

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.
2019 AUG 28 AM 11:07
BRANDY W. MCBEE

Dear Judge Knie:

Enclosed please find a proposed **Conditional Order of Dismissal** in the above case. If this order meets with your approval, please sign it and return to me in the self-addressed envelope provided. I will file with the Cherokee County Clerk of Court.

Sincerely,



Johnny E. James Jr.
Assistant Attorney General

JEJ/my
Enclosure

cc: Irven Myers, #201410

CMTI330D SCDC OFFENDER MANAGEMENT SYSTEM 05/07/18
 OMCOMITA RELEASE DATE SCREEN C023981
 SCDC# > 201410 LOC: LIEBER
 MYERS, IRVEN LEE SCDC CLASSIFICATION... VIOLENT
 OFFENDER TYPE...: ADULT-STRAIGHT SENTENCE SEXUAL REGISTRY...: N
 SEXUAL PREDATOR...:
 DNA STATUS.....: COMPLETED
 GPS REQUIREMENT...: N
 PREA DECISION.....:
 PREA PERP...:
 PREA VICTIM.....:
 CURRENT SENTENCE: CONSECUTIVE SENTENCE ...:
 CURRENT SENT START DATE: 09/10/1993
 LIFE
 PROJECTED COMPLETION DATES
 MAXOUT DATE: 99/99/9999 CURRENT EWC ..:
 YOA SIX YEAR DATE: CURRENT EEC ..:
 INITIAL PAROLE DATE: 09/10/2023 NEXT PAROLE HEARING DATE: 09/10/2023
 TOTAL GT DAYS EARNED: 000000 LABOR CREW/WORK PROG DATE: 99/99/9999
 TOTAL EARNED WORK CREDITS ..: 000000 LABOR CREW DISQ REASON:
 TOTAL EDUCATION CREDITS: 000000 CATEGORY 4 OR 5 OFFENSE
 TOTAL EXTRA EARNED CREDITS ..: 000 SUPERVISED REENTRY DATE...: 00/00/00
 TOTAL SERVICE TIME EARNED ..: 000000 ISS.....:
 PFKEYS: 5:HISTORY OF DATE CHANGES

FILED IN OFFICE OF
 CLERK OF COURT
 CHEROKEE COUNTY, S.C.
 2019 AUG 28 AM 11:18
 BRANDY W. MCBEE

South Carolina Department of Corrections

Classification Summary Reports

Date: Monday, May 7, 2018

Classification Summary Reports

Inmate Number

Classification Summary Report for MYERS, IRVEN LEE :

CLASSIFICATION SUMMARY REPORT DATED 05/07/2018

SCDC# 00201410

MYERS, IRVEN LEE

FBI# 986102TA5

OFFENDER ADULT-STRAIGHT
TYPE: SENTENCE

INSTITUTION: LIEBER

SECURITY/CUST: 2 MINIMUM IN

CURR INCARC 999 YRS 0 MOS
SENT: 0 DAYS

VICTIM
WITNESS: SEPREQ:Y

MED ~~REDACTED~~
CLASS: ~~REDACTED~~

INST
RESTRICT: NO RESTRICTION

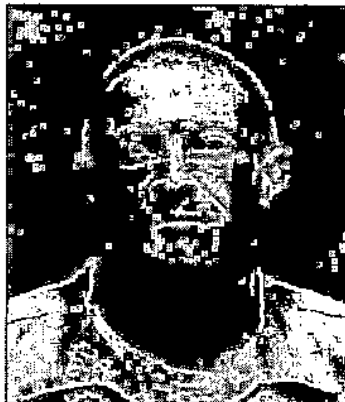
MENTAL ~~REDACTED~~
CLASS: ~~REDACTED~~

CURRENT NO CURRENT
PROGRAM: PROGRAM

SEX REGISTRY: N

DNA: C

AGE: 43



RESIDENT
STABILITY: SI

DORMROOMBUNK_CODE: WD 0279 B

PROJ MAXOUT
DATE:

PROJ PAROLE
DATE: 09/10/2023

EWC
JOB: LAUNDRY HELPER

ASSIGNMENT: COMMISSARY

EWC
LEVEL: 3F5 EEC LEVEL:-

EDUC
PGM: NO CURR EDUC PROGRAM

PREVIOUS NUMBERS:

NO PREVIOUS NUMBERS

CURRENT OFFENSES	YRS	MOS	SENTENCE		START	SENTENCE		
			DYS	COUNTY		V/NV	CAT	INDICT
MURDER	999	99	999	CHEROKEE	09/10/1993	V	5	9211730
BURGLARY-1ST DEGREE	999	99	999	CHEROKEE	09/10/1993	V	4	9311615

COMPLETED OFFENSES

NO COMPLETED OFFENSES

PRIOR COMMITMENTS OVER 90 DAYS:

INMATE HAS NO PRIORS

OFFENSES UNDER PREVIOUS NUMBER:

NO PREVIOUS OFFENSES

DETAINERS (HOLD,WANTED,NOTIFY):

NO DETAINERS

ESCAPES:

NO ESCAPE HISTORY

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

05/14/2015	POSSESSION OF A WEAPON	NOT GUILTY	MAJOR DISC. HEARING	N
02/04/1999	POSSESSION OF A WEAPON	CONVICTED	MAJOR DISC. HEARING	N
04/24/1997	POSSESSION OF A WEAPON	CONVICTED	MAJOR DISC. HEARING	N

PREVIOUS ASSAULTIVE DISCIPLINARIES:

NO PREVIOUS ASSAULTIVE DISCIPLINARY HISTORY

NON-ASSAULTIVE DISCIPLINARIES:

11/10/2009	POSSESSION OF CONTRABAND	CLOSED	OTHER ACTION TAKEN/INFORM
09/20/2009	I/M UNDER INFLUENCE/POSS ALCOHOL OR BUCK	DISMISSED	ADMINISTRATIVE RESOLUTION
07/08/2009	I/M UNDER INFLUENCE/POSS ALCOHOL OR BUCK	CLOSED	OTHER ACTION TAKEN/INFORM
07/30/2008	I/M UNDER INFLUENCE/POSS ALCOHOL OR BUCK	CONVICTED	ADMINISTRATIVE RESOLUTION
02/27/2008	I/M UNDER INFLUENCE/POSS ALCOHOL OR BUCK	CONVICTED	ADMINISTRATIVE RESOLUTION
08/27/2007	I/M UNDER INFLUENCE/POSS ALCOHOL OR BUCK	CONVICTED	MAJOR DISC. HEARING
05/01/2007	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
11/08/2006	DAMAGE,DESTROY,PROP.VALUE AT \$100./MORE	CLOSED	OTHER ACTION TAKEN/INFORM
04/19/2006	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
01/03/2006	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
05/16/2005	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
02/12/2005	POSSESSION OF CONTRABAND	CONVICTED	MINOR DISC. HEARING
08/04/2003	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
01/31/2003	REFUSING OR FAILING OBEY ORDERS	CLOSED	OTHER ACTION TAKEN/INFORM
08/26/2001	I/M UNDER INFLUENCE/POSS ALCOHOL OR BUCK	CLOSED	OTHER ACTION TAKEN/INFORM
07/24/2001	STEALING	CLOSED	OTHER ACTION TAKEN/INFORM
04/10/2001	POSSESSION OF CONTRABAND	CLOSED	OTHER ACTION TAKEN/INFORM
03/08/2001	OUT OF PLACE	DISMISSED	MAJOR DISC. HEARING
02/07/2001	POSSESSION OF CONTRABAND	CONVICTED	MINOR DISC. HEARING
10/28/2000	EVADING A SECURITY DEVICE	DISMISSED	MAJOR DISC. HEARING
04/04/2000	INCITING/CREATING A DISTURBANCE	CLOSED	OTHER ACTION TAKEN/INFORM
01/06/1999	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
12/02/1998	USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CLOSED	OTHER ACTION TAKEN/INFORM
10/11/1998	INCITING/CREATING A DISTURBANCE	CONVICTED	MAJOR DISC. HEARING
09/15/1998	OUT OF PLACE	CONVICTED	MINOR DISC. HEARING
01/05/1998	OUT OF PLACE	CONVICTED	MINOR DISC. HEARING
04/24/1997	SAFETY REGULATIONS	CONVICTED	MAJOR DISC. HEARING
04/24/1997	POSSESSION OF CONTRABAND	CONVICTED	MAJOR DISC. HEARING
01/31/1997	POSSESSION OF CONTRABAND	CONVICTED	MAJOR DISC. HEARING
01/26/1994	REFUSING TO WORK	CONVICTED	MINOR DISC. HEARING

PREVIOUS NON-ASSAULTIVE DISCIPLINARIES:

NO PREVIOUS NON-ASSAULTIVE DISCIPLINARIES HISTORY

HISTORY OF MOVEMENTS:

02/24/2015	LIEBER	INCARCERATED	ADMINISTRATIVE
04/05/2010	MCCORMICK	INCARCERATED	ADMINISTRATIVE
06/10/2003	EVANS	INCARCERATED	ADMINISTRATIVE
06/09/2003	KIRKLAND	INCARCERATED	RETURN FROM COURT
06/06/2003	CHEROKEE CO	AUTH ABSENCE (AWL)	TO COURT
04/08/2003	EVANS	INCARCERATED	ADMINISTRATIVE
04/07/2003	KIRKLAND	INCARCERATED	RETURN FROM COURT
04/04/2003	CHEROKEE CO	AUTH ABSENCE (AWL)	TO COURT
08/22/2000	EVANS	INCARCERATED	ADMINISTRATIVE
05/11/2000	MCCORMICK	INCARCERATED	ADMINISTRATIVE
05/11/2000	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
04/12/2000	MCCORMICK	INCARCERATED	ADMINISTRATIVE
04/12/2000	RICHLAND CO	AUTH ABSENCE (AWL)	MEDICAL
09/02/1997	MCCORMICK	INCARCERATED	ADMINISTRATIVE
05/05/1997	BROAD RIVER	INCARCERATED	ADMINISTRATIVE
04/24/1997	BROAD RIVER R&E	INCARCERATED	ADMINISTRATIVE
03/31/1994	BROAD RIVER	INCARCERATED	RETURN FROM COURT
03/28/1994	CHEROKEE CO	AUTH ABSENCE (AWL)	TO COURT
10/21/1993	BROAD RIVER	INCARCERATED	ADMINISTRATIVE
09/13/1993	BROAD RIVER R&E	INCARCERATED	ADMINISTRATIVE
09/10/1993	PERRY R&E	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL
LAUNDRY HELPER	09/30/2015	-		3F5
WARDKEEPER ASSISTANT	09/08/2015	09/29/2015	INMATE REQUEST	3F5
FOOD SERVICE AIDE	02/26/2015	09/03/2015	INMATE REQUEST	3F5
GENERAL WORKER	07/17/2014	01/15/2015	PLACED IN ST/SP CUSTODY	3F5
GENERAL WORKER	12/10/2013	07/03/2014	PLACED IN ST/SP CUSTODY	3F5
GENERAL WORKER	04/14/2010	11/12/2013	INMATE REQUEST	3F5
LIBRARY HELPER	03/05/2009	04/05/2010	INSTIT TRANSFER	3F5
CUSTODIAL WORKER	05/25/2005	02/29/2008	INMATE REQUEST	3F5
GENERAL WORKER	06/11/2003	05/24/2005	LATERAL TRANSFER	3F5
GENERAL WORKER	04/10/2003	06/10/2003	INSTIT TRANSFER	3F5
GENERAL WORKER	08/16/2001	04/08/2003	INSTIT TRANSFER	3F5
FOOD SERVICE AIDE	02/28/2001	08/15/2001	LATERAL TRANSFER	3F5
FOOD SERVICE AIDE	08/25/2000	02/27/2001	CUSTODY REVIEW	7F5
GENERAL WORKER	01/05/1999	02/03/1999	PLACED IN ST/SP CUSTODY	7F5
WARDKEEPER ASSISTANT	09/05/1997	10/09/1998	PLACED IN ST/SP CUSTODY	7F5
CUSTODIAL WORKER	02/10/1996	05/07/1996	LATERAL TRANSFER	7F7
MATERIAL HANDLING EQ OP	10/24/1995	02/09/1996	INMATE REQUEST	3F5
FURNITURE REPAIRER	06/22/1995	10/23/1995	LATERAL TRANSFER	3F5
FURNITURE REPAIR HELPER	05/09/1995	06/21/1995	PROMOTION	5F5
FURNITURE REPAIRER	01/25/1994	08/29/1994	UNSAT JOB PERFORM	3F5
FURNITURE ASSEMBLER HLP	11/02/1993	01/19/1994	UNSAT JOB PERFORM	5F5

HISTORY OF EARNED EDUCATION CREDITS:

NO SCHOOL ASSIGNMENTS

***** END OF REPORT *****

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