

ROSS & ENDERLIN, PA
ATTORNEYS AT LAW

July 22, 2021

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

Re: Anthony Lounds v. State of South Carolina
Appellate case No. 2021-000645

Dear Mr. Shearouse:

By way of explanation Pursuant to Rule 243(c), SCACR, Mr. Lounds, by and through undersigned counsel, appeals the Order of Dismissal of his PCR action and the denial of his Motion to Alter or Amend because there exists sufficient reason to proceed because the allegations he presents were not asserted or were inadequately raised in his original PCR proceeding.

The Applicant alleges that counsel was unconstitutionally ineffective for failing to inform the Applicant of a plea offer. *See Davie v. State*, 675 S.E.2d 416, 381 S.C. 601 (S.C. 2009). Applicant admits that the allegation could have been raised at his prior PCR hearing and was, in fact, argued by Mr. Lounds at his one prior PCR hearing before Judge Verdin. There, Mr. Lounds offered letters into evidence from Assistant Solicitor George Campbell to appellate counsel, Susan Hackett, saying that he had extended plea offers to Nihar Patel. Mr. Patel was the Applicant's public defender and was relieved of representation when Scott Robinson was retained. Mr. Lounds offered letters indicating a plea offer had been extended in the case and testified that he did not receive any plea offer at any time prior to his trial where he was sentenced to life under § 17-25-45 of the South. PCR Tran. 23. Scott Robinson testified at the PCR hearing that he did not recall that there was any plea offer. He said he spoke to Assistant Solicitor Sloan Ellis who was second chair at the trial and was told there was no plea offer. This statement could not at the time have been disputed because the rebuttal evidence was not yet discovered by the Applicant. Mr. Lounds filed this most recent application after learning that Assistant Solicitor Sloan Ellis told Applicant's family members that as second chair at the Applicant's trial, he would not be in a position to know if a plea offer had been extended in the case. Mr. Ellis confirmed this to the undersigned counsel. This is relevant newly discovered evidence which brings into question whether trial counsel communicated the Applicant's plea offer to him creating a genuine issue of material fact.

Appellate counsel argued the issue in the petition for cert from Mr. Lounds initial PCR, but cert was denied after the State argued that the allegation was not preserved because the 2014 Order of Dismissal fails to address this allegation and there was no 59(3) motion to preserve the issue. The evidence that Sloan Ellis was not in a position to know of or discuss


July 22, 2021

a plea offer with trial counsel in the case is newly discovered evidence supporting Mr. Lounds argument that he did not receive a plea offer. This allegation had never been addressed or waived because was inadequately raised and not preserved at the initial PCR.

Mr. Lounds' PCR application also asserts that his sentence exceeds the maximum because he was no properly noticed under § 17-25-45(H) and that there were irregularities in the grand jury proceeding. These issues again were not asserted or were inadequately raised in his original PCR proceeding. Therefore, he should not be prohibited from filing further PCR applications, habeas corpus actions, or any other actions challenging his sentence or conviction without obtaining the permission of the court.

The undersigned moves to be relieved in this matter at this time. Mr. Lounds is advised that he has twenty (20) days from the date of this letter to file to the Supreme Court at the above address a pro se explanation as to why he believes he should not be prohibited from filing further PCR applications, habeas corpus actions, or any other actions challenging his sentence or conviction without obtaining the permission of the court. See Dennison v. State, 371 S.C. 221, 639 S.E.2d 35 (2006).

Sincerely,



Susannah Ross
Attorney at Law #11205

cc: Assistant Attorney General Taylor Smith
Office of Appellate Defense
Greenville County Clerk of Court
Anthony Lounds

330 E. COFFEE ST. • GREENVILLE/SC • 29601
PHONE: (864) 242-0029
E-MAIL: SUSANNAH@ROSSENDERLIN.COM

STATE OF SOUTH CAROLINA)
 COUNTY OF GREENVILLE)
)
)
 Anthony Maurice Lounds, #227456,)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FOR THE THIRTEENTH JUDICIAL CIRCUIT

Case No.: 2019-CP-23-0816

CONDITIONAL ORDER OF DISMISSAL

FILED
 CLERK OF COURT
 2019 SEP 23 PM 3:03

This matter comes before this Court by way of an Application for Post-Conviction Relief filed by Anthony Maurice Lounds (Applicant) on February 18, 2019. Respondent made its Return and Motion to Dismiss on or about September 12, 2019, requesting that the Application¹ be summarily dismissed.

PROCEDURAL HISTORY

Anthony Lounds (Applicant) is confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Clerk of Court for Greenville County. The Greenville County Grand Jury indicted Applicant at the November 2010 term of General Sessions for armed robbery (2009-GS-23-10155, count 1) and possession of a weapon during commission of a violent crime (2009-GS-23-10155, count 2). Scott D. Robinson, Esquire, (Counsel) represented Applicant. George Campbell, Esquire, and Sloan Price Ellis, Esquire, prosecuted the case on behalf of the State. Applicant proceeded to a jury trial on July 12, 2011, with the Honorable C. Victor Pyle presiding. At the conclusion of trial, Applicant was found guilty as indicted and sentenced by Judge Pyle to life imprisonment without the possibility of parole for armed robbery and imprisonment for five years for possession of a weapon during the commission of a violent crime.

¹ Applicant attached a memorandum to his Application in support of it, and the Court refers to both documents collectively as "Application".

Counsel filed a timely notice of appeal. Susan B. Hackett, Esquire, of Appellate Defense perfected the appeal. The Court of Appeals affirmed Applicant's convictions and sentences. State v. Lounds, Op. No. 2013-UP-289 (S.C. Ct. App. filed June 26, 2013). The remittitur was sent on July 17, 2013.

2013-CP-23-4178

Applicant filed his first Application for Post-Conviction Relief on August 2, 2013, (2013-CP-23-4178). Applicant raised the following issues:

1. ~~Ineffective assistance of trial counsel:~~
 - a. Failed to function as the State's adversary.
 - b. Failed to call witnesses.
 - c. Failed to investigate.
 - d. Failed to offer defense to the court.
 - e. Failed to subject the prosecution's case to adversarial testing.

In a pro se "Amendment to PCR Application" filed on September 17, 2013, (and prior to appointment of PCR counsel), Applicant made the following additional allegations:

1. Ineffective assistance of trial counsel:
 - a. Failed to "communicate with the Applicant to adequately prepare for life without parole trial."
 - b. Failed to challenge Applicant's arrest.
 - c. "[N]ever intended to offer any defense to the court on my behalf."
 - d. Failed to "function as the governments adversary."
 - e. Failed to "conscientiously gather any information to protect my rights."
 - f. Failed to "conscientiously discharge his professional responsibilities."
 - g. Failed to "make proper arguement concerning the seating of jury #40 peremptory challenge."

An evidentiary hearing was convened on October 21, 2014, at the Greenville County Courthouse. R. Mills Ariail, Jr., Esquire represented Applicant. The Honorable Letitia H. Verdin denied and dismissed the PCR application by order filed on December 19, 2014. Applicant filed a timely notice of appeal (2015-000124). Wanda H. Carter, Esquire, of Appellate Defense filed a petition for writ of certiorari on September 18, 2015, and Respondent filed a return to that petition



on January 4, 2016. The Supreme Court of South Carolina denied the petition for a writ of certiorari on October 20, 2016. The Remittitur was issued on November 7, 2016.

2015-CP-23-4911

Applicant filed his second Application for Post-Conviction Relief on August 7, 2015. He raised the following issues:

1. Ineffective assistance of trial counsel:
 - a. "Trial counsel failed to object to alternate juror deliberating while jury considered verdict."
2. Newly discovered evidence
 - a. Transcript as incomplete

In a "Notice and Motion to Amendment to PCR Application" filed on October 13, 2015, Applicant made the following allegations:

1. After-discovered evidence
2. Ineffective assistance of appellate counsel
 - h. Failed "to check record, review record."

Respondent made its Return on February 24, 2016, and moved therein for the summary dismissal of the action. On March 8, 2016, the Honorable Robin B. Stilwell issued a Conditional Order of Dismissal, which provided that the Court would summarily dismiss the action unless Applicant provided the Court with specific reasons why the matter should not be dismissed. Applicant responded to the Conditional Order of Dismissal on or around March 7, 2016. In his response, Applicant alleged that his review of the complete trial transcript showed that the trial court had erred in failing to discharge an alternate juror and that trial counsel was ineffective for failing to object to the presence of an alternate juror. On September 7, 2016, the Honorable Perry H. Gravely issued a Final Order, denying the application and dismissing the action with prejudice.

On October 4, 2016, Applicant filed a notice of appeal (2016-002094). On October 13, 2016, the Supreme Court of South Carolina issued a deficiency letter to Applicant advising him that he was required to file an explanation as to why Judge Gravely's determination that the second PCR



action was barred as successive and/or untimely under the statute of limitations was improper, in accordance with Rule 243(c), SCACR. Applicant filed a pro se explanation with the Court on October 24, 2016. On October 26, 2016, the Court dismissed the matter due to Applicant's failure to show that there was an arguable basis for the appeal. The Remittitur was issued on November 15, 2016.

CURRENT APPLICATION

In his third and current PCR application, Applicant alleges he is being held in custody unlawfully for the following reasons:

1. The State lacked subject-matter jurisdiction to conviction Applicant.
 - a. The State failed to legally indict Applicant.
2. The State lacked jurisdiction to sentence Applicant to life imprisonment.
 - a. The State failed to serve Applicant with a notice to seek life imprisonment.
3. The State engaged in outrageous government conduct to convict Applicant.
 - a. The State attempted to alter the date of Applicant's indictment.

Before this Court are the records of the Greenville County Clerk of Court, Applicant's records from the South Carolina Department of Corrections, the records from Applicant's direct appeal, the records from Applicant's prior post-conviction relief actions, and Applicant's current Application for Post-Conviction Relief.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the pleadings and all relevant supporting documents. Pursuant to S.C. Code Ann. § 17-27-70(b), this Court makes the following findings of fact and conclusions of law:

Statute of Limitations

The Court finds this application shall 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 (the Act). 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 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). A motion for summary judgment may properly be used to raise the defense of statute of limitations. McDonnell v. Consolidated School District of Aiken, 315 S.C. 487, 445 S.E.2d 638 (1994). In addition; section 17-27-70(c) of the South Carolina Code authorizes the Court to “grant a motion by either party for summary disposition of [an] application when it appears from the pleadings . . . that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.”

Applicant was convicted as indicted in July of 2011. The Remittitur in Applicant’s direct appeal was issued on July 17, 2013. The Application for Post-Conviction Relief was therefore due by July 18, 2014. As this Application was filed on February 18, 2019, more than four-and-a-half years after the deadline imposed by the statute, Applicant has failed to file within the required period of time. Therefore, this Court shall summarily dismiss all of Applicant’s allegations as barred by the statute of limitations.

Successiveness

The Court further finds the application shall be summarily dismissed because it is successive to Applicant’s previous post-conviction relief applications. Courts disfavor successive applications and place the burden on applicants to establish any new ground raised in a subsequent application could not have been raised in a previous application. Foxworth v. State, 275 S.C. 615, 274 S.E.2d

PR

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. 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 allegations could have been raised in an earlier PCR action. He has provided no justification for his attempt to challenge the sufficiency of the indictment or to allege that it had been impermissibly altered in this successive PCR action. Not only did Applicant have the opportunity to challenge the indictments in previous actions, but he raised issues with the indictment in an earlier action. In his first PCR action, Applicant testified as to issues related to the indictment and argued that Counsel should have moved to quash it. Judge Verdin addressed Counsel's performance with respect to the indictment in her Order of Dismissal. Applicant could have argued that the State did not provide adequate notice of its intent to seek a sentence of life imprisonment in

an earlier action. For example, in his first PCR action, Applicant alleged in a pro se supplemental filing that Counsel was ineffective for failing to discuss with him the State's intention to seek life, although it appears that this issue was abandoned during the PCR hearing, as Judge Verdin found in her Order of Dismissal. Furthermore, Applicant explicitly acknowledged at his PCR hearing that he was aware of the State's intention to seek a sentence of life imprisonment when he testified that he received the notice in March of 2011, which was almost four months before his trial.

Applicant wholly fails to provide this Court with any reason he could not have raised these current allegations in one of his two previous applications for post-conviction relief, especially in light of the fact that Applicant addressed similar issues in those PCR actions. Therefore, Applicant has failed to meet the burden imposed upon him, and this Court shall summarily dismiss the application as successive to Applicant's previous post-conviction relief applications.

Doctrine of Res Judicata

This Court finds that the Application for Post-Conviction Relief is similarly barred by the doctrine of res judicata. Res judicata prohibits subsequent actions by the same parties on the same issues. Bell v. Bennett, 307 S.C. 286, 414 S.E.2d 786 (Ct. App. 1992). A final judgment on the merits in a prior action bars subsequent consideration of those issues in a new action. Foran v. USAA Casualty Ins. Co., 311 S.C. 189, 427 S.E.2d 918 (Ct. App. 1993). Res judicata also bars any issues that could have been raised in the former action. Id.; see also Foxworth v. State, 275 S.C. 615, 274 S.E.2d 415 (1981) (approving of PCR court's finding that claims raised or that could have been raised in a prior federal habeas corpus proceeding were barred by res judicata).

Applicant had a full opportunity to litigate all of his allegations in his prior actions. In fact, Applicant's allegations are quite similar to allegations raised by him in his previous PCR actions.

Applicant does not successfully demonstrate that he is now presenting any issue or allegation that could not have been raised in either the first or second application. The present Application for Post-Conviction Relief shall be summarily dismissed as barred by the doctrine of res judicata.

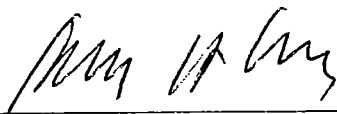
CONCLUSION

Pursuant to S.C. Code Ann. § 17-27-70(b), this Court intends to dismiss this Application for Post-Conviction Relief with prejudice unless Applicant provides specific reasons, factual or legal, why the Application should not be dismissed in its entirety. Applicant is granted twenty 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 Greenville County Clerk of Court and shall serve opposing counsel at the following address:

Office of the Attorney General
Attn: Taylor Zane Smith, Esquire
PCR Division – 13th Circuit
Post Office Box 11549
Columbia, South Carolina 29211

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

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


PERRY H. GRAVELY
Chief Judge for Administrative Purposes
Thirteenth Judicial Circuit

Greenville, South Carolina

Copy mailed to Attorney General / S. Ross on <u>9</u> / <u>23</u> / <u>2019</u>

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE)	IN THE THIRTEENTH CIRCUIT
)	
ANTHONY LOUNDS)	
APPLICANT,)	
)	REPLY TO CONDITIONAL
VS.)	ORDER OF DISMISSAL
)	
THE STATE OF SOUTH CAROLINA)	
)	CASE NO: 2019-CP-23-0816
RESPONDENT.)	
_____)	

19 OCT 7 PM 4:21
 Paul Wickensimer - CDC CIVIL SC

This matter comes before the Court by way of application of post conviction relief filed February 18, 2019. A Conditional Order of Dismissal was filed September 23, 2019. In response to the Conditional Order of Dismissal, the Applicant would show that his application presented newly discovered evidence of material fact not previously presented which became known to the Applicant within one year of the filing of this application.

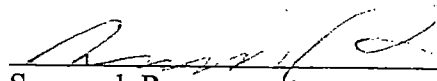
The Applicant's first allegation that the trial attorney, Scott Robinson, did not give the applicant the plea offer. *See State v. Davie*, 381 S.C. 601, 675 S.E.2d 416 (2009). While this argument could have been presented at a prior PCR hearing, at his post-conviction relief (PCR) hearing Mr. Robinson testified that he spoke to Assistance solicitor Sloan Ellis about a plea offer. Subsequently Sloan Ellis informed the Applicant that he did not speak to Mr. Robinson about a plea offer and because he was not lead counsel on the case he would not be in a position to have made or discussed a plea offer in the case.

The second issue involves irregularities in the grand jury procedure and errors on the face of the indictment where the dates appear to be wrong and/or altered. The

indictment number on the sentencing sheet and indictment indicate November 2009 while the grand jury convened on November 23, 2010. While this is apparent on the face of the indictment which arguably should have been brought up prior to trial under Gentry, it is indicative of an irregularity in the grand jury procedure in this case. State v. Gentry, 363 S.C. 93, 610 S.E.2d 494, (2005).

Lastly, the Applicant argues that his life sentence was illegal because he was not properly noticed under SC Code Ann. 17-25-45(H) and the court lacked subject matter jurisdiction to confer a life sentence. The written notice of intent to seek life without parole references unknown indictments noticing an intent to seek life without parole upon the conviction of the above-referenced indictments, 2010GS236028 and 2010GS2310156. See Ex. C. Mr. Lounds was never convicted for those indictments. Recognizing that a sentence exceeding the court's sentencing authority does not regularly involve a question of subject matter jurisdiction, here the life sentence was conferred for charges for which the applicant was not indicted and convicted. See State v. Johnson, 333 S.C. 459, 510 S.E. 2d 423 (1999). This, we respectfully argue suggests that the court lacked subject matter jurisdiction to sentence life without parole for the Mr. Lound's armed robbery conviction because he was, in effect, sentenced to life for charges for which he was not indicted. The undersigned on behalf of the Applicant requests that her PCR action proceed to a full hearing.

Respectfully submitted,



Susannah Ross
Attorney for the Applicant
330 E. Coffee St,
Greenville, SC 29601
(864) 242-0029

Greenville, South Carolina
This 7 day of October, 2019

3

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GREENVILLE)
)
)
 The State)
)
 -vs-)
)
 Anthony Maurice Lounds,)
 Defendant)

IN THE COURT OF GENERAL SESSIONS
 Indictment Nos. 2010GS236028
 2010GS2310156

NOTICE OF INTENT TO SEEK LIFE
 WITHOUT PAROLE

FILED IN CLERK OF COURT
 PAUL WICKENSMAIER
 GREENVILLE, SC

2011 MAR 24 AM 8:55

The State hereby notifies Anthony Maurice Lounds and his attorney; Scott Robinson, of its intention to seek sentencing of the Defendant under Section 17-25-45 for a sentence of life without the possibility of parole if the State obtains a conviction on the above-referenced indictments for Anthony Maurice Lounds.

The Defendant has been convicted of the following most serious offense: Voluntary Manslaughter.

Geo. Campbell
 George A. Campbell
 Assistant Solicitor

Greenville, South Carolina
 March 23, 2011

Car



Exhibit A

DOCKET NO. 2009-GS-23-
GAC
The State of South Carolina
County of Greenville

016155

WITNESSES

Alvin King
Greenville County Sheriffs Office
10/1/2009

COURT OF GENERAL SESSIONS
November TERM 2009/10

THE STATE
vs.

@

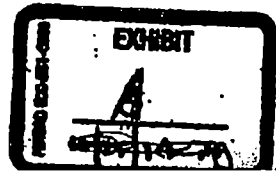
ANTHONY MAURICE LOUNDS

ARREST WARRANT NUMBER
1343242 and 1343243

ACTION OF GRAND JURY
TRUE BILL
Ann Swerette
FOREMAN GRAND JURY
Foreperson of Grand Jury

VERDICT
COUNT I: *guilty*
COUNT II: *guilty*
Ann Swerette 7/13/11
Foreperson of Petit Jury Date:

Indictment for
0139 and 0549
ARMED ROBBERY and POSSESSION OF A
WEAPON DURING THE COMMISSION OF A
VIOLENT CRIME
VIOLATION § 16-11-0330 and 16-23-0490



576

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.

INDICTMENT/CASE#: 2009GS2310155

AKA:

A/W#: 1343242

Race: BLACK Sex: M Age: 39

Date of Offense: 9/5/2009

DOB: -1972 SS#

S.C. Code §: 16-11-0330(A)

Address: 500 Wenwood Rd Apt 1311

CDR Code #: 0139

City, State, Zip: Greenville, SC 29607-4401

DL#: SID#:

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lowd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Campbell, George

77409
SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of life without parole days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

PTUP

Total: \$ _____ plus 20% fee: \$ _____

_____ days/hours Public Service Employment

Payment Terms:

Obtain GED

Set by SCDPPPS

Attend Voc. Rehab. or Job Corp. _____

Recipient: _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

*Fine:

Description	Amount	Total
§ 14-1-206 (Assessments 107.5%)	\$	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$5.00
3% to County (if paid in installments)	\$	\$
TOTAL	\$	\$

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk

Court Reporter: Haskell

SCCA/217 (03/2011)

Paul B. Wickens

Presiding Judge

Judge Code: 2010

Sentence Date: 7-13-2011

C. Vickrey

FORM 4

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2019CP2300816

Anthony Maurice Lounds		South Carolina State Of	
------------------------	--	-------------------------	--

21 JUN 9 PM 3:41
 Paul Wickensinger - COC @UL SC

PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> 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: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 - Affirmed;
 - Reversed;
 - Remanded;
 - Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

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

ORDER INFORMATION

This matter came before the Court upon Applicant's Motion to Alter or Amend the Final Order of Dismissal which was issued by this Court on May 26, 2021. The Court has reviewed Applicant's Motion and the record and denies Applicant's Motion. The Court does not feel that a hearing on the Motion is necessary.

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Paul H. Wickensinger
 Circuit Court Judge

2755
 Judge code

6/9/2021

Date