

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM FLORENCE COUNTY
D. Craig Brown, Circuit Court Judge

2014-CP-21-1720

Erica McKeever, # 335488,

Appellant,

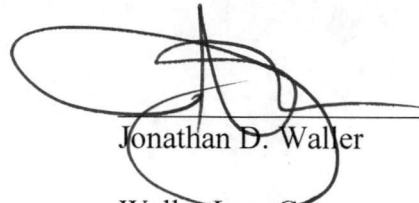
v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Erica McKeever, #335488, appeals the Final Order of Dismissal denying her Application for Post-Conviction Relief filed November 1, 2021, issued by the Honorable D. Craig Brown, Chief Administrative Judge, Twelfth Judicial Circuit.



Jonathan D. Waller

Waller Law Group
SC Bar No.: 76290
1821 Hampton Street
Columbia, SC 29201
803-520-7278 (phone)
jonathan@wallergroupsc.com
ATTORNEY FOR PETITIONER

November 5, 2021

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S.C. SUPREME COURT

Other Counsel of Record:
Michael Davidson, Assistant Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3319

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S.C. SUPREME COURT

FILED

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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF FLORENCE) DORIS POULOS CHAIR) FOR THE TWELFTH JUDICIAL CIRCUIT
CCCP & GS)

Erica McKeever, #335488,) Case No. 2014-CP-21-1720
FLORENCE COUNTY, SC)

Applicant,)

v.)

State of South Carolina,)

Respondent.)

FINAL ORDER OF DISMISSAL

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed June 23, 2014. Respondent made its return on January 5, 2017, requesting the application be summarily dismissed based upon untimeliness, successiveness, and failure to state a claim upon which relief can be granted.

Pursuant to this request, and after reviewing the pleadings in this matter and all of the records attached thereto, this Court issued a Conditional Order of Dismissal signed December 5, 2017 and filed December 11, 2017, provisionally denying and dismissing this action, while giving Applicant twenty days from the date of service of said Order in which to show why the dismissal should not become final. Attached to this Final Order and incorporated herein by reference is an Affidavit of Service dated December 15, 2017, serving the above-mentioned Conditional Order of Dismissal on Applicant.

Applicant's defense counsel, Jonathan D. Waller, sent a letter on January 8, 2018 stating that Applicant is allowed to amend her application to sufficiently plead her claims. However, since this initial letter filed by Mr. Waller, there has not been substantive responses or amendments filed. Therefore, this Court finds a sufficient reason has not been shown why the Conditional Order of

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Doris Poulos
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

Dismissal should not become final.

IT IS THEREFORE ORDERED that, for the reasons set forth in this Court's Conditional Order of Dismissal, the PCR application is hereby denied and dismissed with prejudice.

AND IT IS SO ORDERED this 25th day of Oct., 2021.



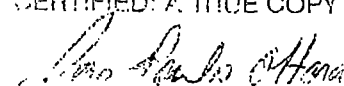
D. CRAIG BROWN
Chief Administrative Judge¹
Twelfth Judicial Circuit

Florence, South Carolina.

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DORIS POULOS CHARA,
C.C.P. & G.S.
FLORENCE COUNTY, SC

¹ This Final Order of Dismissal is signed by Judge Brown, the Chief Administrative Judge of General Sessions for the Twelfth Circuit—pursuant to *Re: Duties of Circuit Court Chief Judges for Administrative Purposes* (S.C. Sup. Ct. filed June 29, 2019) (“In those circuits with two chief administrative judges, the matter or proceeding shall be referred to the other chief administrative judge.”)—due to a conflict with the Chief Administrative Judge of Common Pleas for the Twelfth Circuit, Michael G. Nettles, who presided over Applicant’s plea.

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FLORENCE COUNTY, S.C.



ALAN WILSON
ATTORNEY GENERAL

October 27, 2021

The Honorable Doris Poulos O'Hara
Florence County Clerk of Court
180 N. Irby Street MSC-E
Florence, SC 29501

Re: Erica McKeever, #335488 v. State of South Carolina
2014-CP-21-1720

Dear Ms. O'Hara:

Enclosed please find the original **Final Order of Dismissal** in the above-captioned case for filing in your office. Please forward a **time stamped copy** back to our office for our file.

Sincerely,

Michael D. Davidson
Assistant Attorney General

MDD/em
Enclosure(s)

cc: Jonathan D. Waller, Esquire

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DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

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DORIS POULOS O'HARA
CLERK OF COURT CCP & GS
FLORENCE COUNTY, SC

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

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2014CP2101720

Erica Mckeiver
2021 NOV -2 PM 1:30
South Carolina State Of
DORIS POULOS O'HARA

PLAINTIFF(S)
DEFENDANT(S)
Submitted by: Attorney for: Plaintiff Defendant
 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 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.

Circuit Court Judge

Judge Code

11/2/2021

Date

For Clerk of Court Office Use Only

This judgment was entered on **Novemeber 01, 2021**, and a copy mailed first class or placed in the appropriate attorney's box on **Novemeber 02, 2021**, to attorneys of record or to parties (when appearing pro se) as follows:

CERTIFIED: A TRUE COPY
DORIS POULOS O'HARA
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

Jonathan D Waller 1821 Hampton Street Columbia, SC
29201

Michael D. Davidson 1000 Assembly Street Rembert C.
Dennis Building, PCR Division Columbia, SC 29201

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Doris P O'Hara
Doris Poulos O'Hara - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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S.C. SUPREME COURT

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Doris Poulos O'Hara
CLERK OF COURT O.P. & C.
FLORENCE COUNTY, SC