

FORM 4

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

JUDGMENT IN A CIVIL CASE - PCR

CASE NUMBER: 2018-CP-11-00172

Thomas N. THOMPSON, SCDC #80681

The STATE of South Carolina,

Applicant,

Respondent.

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.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41 SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other: S.C. Code 17-27-70(c).
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other

FILED IN OFFICE OF  
CLERK OF COURT  
CHEROKEE COUNTY, S.C.  
2022 APR -6 AM 11:10  
BRANDY V. MCBEE

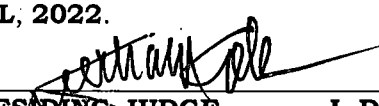
IT IS ORDERED AND ADJUDGED:  See attached order;  Statement of Judgment by the Court:

This matter came before this court for hearing on the State's motion for summary dismissal of the application for post-conviction relief pursuant to *South Carolina Code Annotated Section 17-27-70(c)* for failure of the applicant to make out a prima facie case of entitlement to relief and on the applicant's motion for summary judgment.

After consideration of the presentation made this Court finds that the Applicant's **MOTION** for **SUMMARY JUDGMENT** should be and **IS** therefore **DENIED**. The State's **MOTION** to **DISMISS** should be and **IS** therefore **GRANTED**.

Counsel for the State is requested to prepare and submit a proposed formal order for the Court's consideration.

Dated at Spartanburg, South Carolina, this 1<sup>st</sup> day of **APRIL, 2022**.

  
\_\_\_\_\_  
PRESIDING JUDGE, J. DERHAM COLE

This judgment was entered on the \_\_\_\_\_ day of **APRIL, 2022** and a copy mailed first class this \_\_\_\_\_ day of **APRIL, 2022** to attorneys of record or to parties (when appearing pro se) as follows:

**RODNEY RICHEY, Esq.**

**CHELSEY MARTO**, Assistant Attorney General

ATTORNEY(S) FOR THE APPLICANT

ATTORNEY(S) FOR THE RESPONDENT

\_\_\_\_\_  
AMY W. COX, CLERK OF COURT

**RECEIVED**

MAY 11 2022

SC Court of Appeals