

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 11:40  
BRANDY A. MOBE

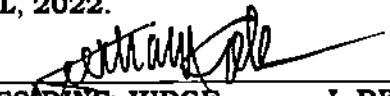
IT IS ORDERED AND ADJUDGED:  See attached order;  Statement of Judgment by the Court:

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

FORM 4

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

JUDGMENT IN A CIVIL CASE  
 CASE NUMBER 2018CP1100172

|                                 |  |                         |  |
|---------------------------------|--|-------------------------|--|
| Thomas Neil Thompson,<br>#80681 |  | State Of South Carolina |  |
|---------------------------------|--|-------------------------|--|

|                     |   |
|---------------------|---|
| <b>PLAINTIFF(S)</b> | <b>DEFENDANT(S)</b>   |
| Submitted by:       | Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><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 order  ends  does not end the case.

Additional Information for the Clerk: \_\_\_\_\_

FILED IN OFFICE OF  
 CLERK OF COURT  
 CHEROKEE COUNTY  
 SOUTH CAROLINA  
 APR 6 2022  
 BRANDY W. SCOBEE

**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<br>(List name(s) below) | Judgment Against<br>(List name(s) below) | Judgment Amount To be Enrolled<br>(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.

|                     |            |          |
|---------------------|------------|----------|
| J. Derham Cole      | 2053       | 4/6/2022 |
| Circuit Court Judge | Judge Code | Date     |

**For Clerk of Court Office Use Only**

This judgment was entered on 04/06/2022, and a copy mailed first class or placed in the appropriate attorney's box on 04/06/2022, to attorneys of record or to parties (when appearing pro se) as follows:

Thomas Neil Thompson, #80681 Trci 10-204A, 200 Prison Rd. Enoree, SC 29335  
Rodney Wade Richey PO Box 10916 Greenville, SC 29603-0916

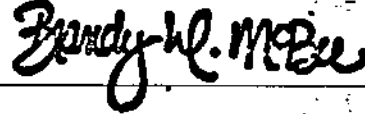
Alan McCrory Wilson S.C. Attorney General's Office PO Box 11549 Columbia, SC 29211-1549  
Chelsey Faith Marto 1000 Assembly Street Room 519 Columbia, SC 29201

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ATTORNEY(S) FOR THE PLAINTIFF(S)

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ATTORNEY(S) FOR THE DEFENDANT(S)



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Court Reporter

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Brandy W. McBee - 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.**

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**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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