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S.C. Supreme Court

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM RICHLAND COUNTY

The Honorable William P. Keesley, Circuit Court Judge

Case No. 2006CP4007054

Matthew Jamison,...Respondent,

v.

State of South Carolina, ...Petitioner.

BRIEF OF PETITIONER

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STATEMENT OF ISSUES ON APPEAL

ARGUMENT 1

WHETHER THE COURT OF APPEALS AND THE PCR COURT ERRED BECAUSE AN ISSUE PRESENTED IN A *PRO SE* JOHNSON RESPONSE DURING A PRIOR PCR APPEAL CANNOT, FOR THE PURPOSES OF A SUBSEQUENT/SUCCESSIVE PCR, BE NEWLY DISCOVERED EVIDENCE PER S.C. CODE § 17-27-45(c) ?

ARGUMENT 2

WHETHER BECAUSE A GUILTY PLEA IS A WAIVER OF DEFENSES, THE COURT OF APPEALS ERRED BY NOT REVERSING THE PCR COURT'S ORDER GRANTING RELIEF WHEN THE ORDER WAS BASED ON AN ERROR OF LAW?

STATEMENT OF THE CASE

The Respondent was indicted by the October 2000 term of the Richland County Grand Jury for murder (2000-GS-40-53234). (App. p. 264 – 267). The Respondent was represented by John Delgado, Esquire. On August 28, 2001, he pled to the lesser-included offense of voluntary manslaughter before the Honorable L. Casey Manning and was sentenced to a term of twenty (20) years.[1] (App. p. 1 – 38). There was no direct appeal.

On January 24, 2002, the Respondent filed an Application for Post-Conviction Relief, Docket No.: 2002-CP-40-3078 (First PCR). The State made its Return on April 3, 2003. An evidentiary hearing into the matter was held in front of the Honorable G. Thomas Cooper, Jr., on April 27, 2005 at the Richland County Courthouse. (App. p. 39 – 87).

In his 1st PCR, the Respondent unsuccessfully claimed that he plead guilty because he was threatened with the death penalty via his defense attorney – John Delgado. (App. p. 68). On July 7, 2005, the Honorable G. Thomas Cooper, Jr. issued an Order of Dismissal. The Respondent filed a timely Notice of Intent to Appeal. On behalf of the Respondent, Robert M. Pachak, South Carolina Office of Appellate Defense, submitted a Johnson Petition and a request to withdraw from further representation of the

[1] Judge Manning later issued the [circuit level] Order Granting Appeal Bond, dated February 25, 2009.

Respondent.[2] The Respondent filed his "Petitioner's Pro-Se Johnson Reply" on December 19, 2005, which had a handwritten "Statement of Affidavit" from Theotis Bellamy attached. (App. p. 214 – 220). On March 6, 2007, "[a]fter careful consideration of the entire record" the South Carolina Court of Appeals issued an Order denying the Petition for Writ of Certiorari and granting counsel's request to withdraw. (App. p. 221). In response, the Respondent filed a "Petition for Rehearing and Rehearing En Banc Pursuant to Rule 221, SCACR." (App. p. 222). On April 24, 2007, the South Carolina Court of Appeals issued an Order Denying Petition for Rehearing and an Order Denying Petition for Rehearing En Banc. (App. p. 223 – 224).

The Respondent then filed a successive application for Post-Conviction Relief on November 28, 2006. (App. p. 88 – 97). The State made its Return on March 26, 2007. (App. p. 101-104). The Respondent, through counsel, filed an Amendment to Application for Post-Conviction Relief on September 21, 2007. (App. p. 98 – 100). An evidentiary hearing into the matter was held in front of the Honorable William P. Keesley on June 27, 2008 at the Richland County Courthouse. (App. p. 105 – 188). On June 30, 2008, the PCR court issued a memorandum opinion granting Post-Conviction Relief. (App. p. 197 – 201). On July 2, 2008, the Petitioner submitted a post-hearing motion captioned "Motion to Supplement the Record and/or Motion for Rehearing Pursuant to Rule 59(a), SCRCP and/or Rule 59(e), SCRCP Motion to Alter or Amend."

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[2] Johnson v. State, 294 S.C. 310, 364 S.E.2d 201 (1988).

(App. p. 202 – 225). On August 15, 2008, the PCR court issued an Order withdrawing the original memorandum order and ordering a re-hearing. (App. p. 229 – 230). A hearing on the Petitioner's Motion to Reconsider was heard before the PCR court on September 24, 2008. (App. p. 231 – 247). On September 24, 2008, the PCR court issued a memorandum order denying the Petitioner's request for reconsideration. (App. p. 248). The final Order Granting Post-Conviction Relief was filed on October 14, 2008. (App. p. 249 – 262). The PCR court's order granting relief was based on the five (5) part newly discovered evidence test from Hayden v. State, 278 S.C. 610, 299 S.E.2d 854 (1983). (App. p. 256).

On October 21, 2008, Petitioner filed a timely Notice of Appeal and then a Petition for Writ of Certiorari on April 23, 2009.[3] Respondent filed a Return to Petition for Writ of Certiorari on August 21, 2009. By way of a Rule 243(l), SCACR Order dated March 10, 2010, the case was transferred to the South Carolina Court of Appeals.

The Court of Appeals granted the petition by Order dated February 10, 2011. The South Carolina Court of Appeals directed the parties to address the issue(s):

> *Did the Respondent's guilty plea constitute a waiver of the defense of self-defense at trial and, therefore, did the PCR court err in granting Respondent a new trial?*

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[3] While not part of the lower court record per Rule 227(f), SCACR, the Petitioner notes that a Petition for Appeal Bond per Rule 227(k), SCACR was granted by this Court and then at the circuit level; the Respondent is currently not incarcerated.

On July 18, 2012, the South Carolina Court of Appeals issued an opinion in which it affirmed the decision of the PCR court vacating Matthew Jamison's August 27, 2001 guilty plea. Jamison v. State, Unpub. Op. No. 2012-UP-437 (S.C. Ct. App. filed July 18, 2012). A petition for rehearing was filed on July 27, 2012, it was denied on August 22, 2012. (App. p. 391 – 396). A Petition for Writ of Certiorari was filed with this Court pursuant to Rule 243(l), SCACR. On March 20, 2013, this Court granted certiorari. This brief follows.

STANDARD OF REVIEW

The proper standard of review of a post-conviction relief evidentiary hearing is whether "any evidence of probative value" exists to sustain the post-conviction relief judge's findings. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989). In a post-conviction relief proceeding, the Respondent bears the burden of proving the allegations in their application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). A PCR judge's decision can be reversed on PCR appeal when it is controlled by an error of law. Sheppard v. State, 357 S.C. 646, 651, 594 S.E.2d 462, 465 (2004); Pierce v. State, 338 S.C. 139, 145, 526 S.E.2d 222, 225 (2000).

ARGUMENT 1

THE COURT OF APPEALS AND THE PCR COURT ERRED BECAUSE AN ISSUE PRESENTED IN A *PRO SE* JOHNSON RESPONSE DURING A PRIOR PCR APPEAL CANNOT, FOR THE PURPOSES OF A SUBSEQUENT/SUCCESSIVE PCR, BE NEWLY DISCOVERED EVIDENCE PER S.C. CODE § 17-27-45(C)

In Johnson v. State, this Court applied the procedure set forth in Anders for petitions for writ of certiorari for PCR appeals. Johnson v. State, 294 S.C. 310, 364 S.E.2d 201 (1988); Anders v. State of Cal., 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967). Accordingly, this Court's analysis and rulings regarding Anders appeals applies to PCR appeals filed pursuant to Johnson.

The PCR court did not grant relief on a claim of ineffective assistance of plea counsel [Delgado]. There has been no claim of ineffective assistance of prior PCR counsel, circuit level [Kimbrough] or appellate [Pachak]. At the PCR hearing, the Respondent claimed that he tried to submit the now "newly discovered evidence" – in the form of a *pro se* Johnson reply - to the South Carolina Court of Appeals while the PWOC from his first PCR was pending. (App. p. 137 – 140). The Respondent claimed that the Court of Appeals would not accept the affidavit from Mr. Bellamy, i.e. the "newly discovered evidence." (App. p. 137 L. 10, L. 16 & p. 139 L. 7). Yet the Respondent claimed that he did ultimately submit the documents to the Court of Appeals. (App. p. 114 L. 2 – p. 115 L. 17). The Petitioner submits that the State, as a

Respondent to PCR appeals, is not always privy to the contents of the *pro se* Johnson reply unless it is forwarded to the Office of the Attorney General. Accordingly, after the second PCR hearing, the Petitioner obtained certified copies of the *pro se* Johnson reply documents from the South Carolina Court of Appeals and submitted them to the PCR court for its consideration. (App. p. 214 – 225).

The Petitioner submits that the PCR court erred as a matter of law, at the PCR hearing and subsequent reconsideration hearing, in finding that the testimony of Bellamy was indeed "newly discovered evidence" despite the fact that it was all presented during the prior PCR, while on appeal, in the form of a *pro se* Johnson reply. The Petitioner submits that the prior PCR case, while on appeal, could have been remanded to consider this "newly discovered evidence." Rule 220(a), SCACR. In fact, while not specifically calling it a "Rule 240(a), SCACR," motion, the Respondent included the following in his *pro se* Johnson Petition Reply (Received by S.C. Ct. App. Dec. 19, 2005):

- "Issue 3": "WHETHER THE COURT SHOULD REMAND PETITIONER'S CASE BACK TO THE LOWER COURT FOR A HEARING TO ASCERTAIN THE VALIDITY OF THE AFTER DISCOVERED EVIDENCE WHICH COULD NOT HAVE BEEN DISCOVERED BY TRIAL COUNSEL NOR PETITIONER PRIOR TO TRIAL NOR SENTENCING THROUGH DUE DILIGENCE."
- "EXHIBIT 'C'": Affidavit of Theotis Bellamy dated November 28, 2005.[4]

[4] The Affidavit by Bellamy contained in the 2nd PCR application is dated March 23, 2006. The version of the Bellamy affidavit submitted with the 2nd PCR application is substantially similar to the version presented to the Court of Appeals during the 1st PCR proceedings

(App. p. 214 – 220).

Rather than remand the issue, or reverse the prior PCR court, the Court of Appeals denied certiorari. (App. p. 221). By doing so, the South Carolina Court of Appeals reviewed the Bellamy affidavit and found "no issues of arguable merit." State v. Lyles, 381 S.C. 442, 673 S.E.2d 811, 813 (2009), citing State v. Williams, 305 S.C. 116, 406 S.E.2d 357 (1991).

The South Carolina Court of Appeals received the motion/request (albeit *pro se*) to remand the PCR in light of the "newly discovered" testimony of Bellamy. (App. p. 214 – 222). The South Carolina Court of Appeals found the motion/request to be without arguable merit. (App. p. 221). Dismissing a Johnson brief and the *pro se* materials "simply reflects that the appellate court was unable to ascertain a non-frivolous issue which would require counsel to file a merits brief." State v. Lyles, 381 S.C. 442, 445, 673 S.E.2d 811, 813 (2009). In other words, the claims were frivolous. All nine (9) members of the South Carolina Court of Appeals agreed. (App. p. 224 – 225).

During the 2nd PCR hearing, the Respondent presented non Johnson PCR appeal cases - cases without newly discovered evidence - to argue that the "newly discovered" Bellamy testimony presented in the *pro se* Johnson reply was not addressed during the prior PCR and that it was proper for a new PCR. (App. p. 238 – 246).[5] The order from the Court of Appeals during

(dated November 28, 2005) [the 2nd application for this PCR was filed 365 days later, i.e. Nov. 28, 2006].

[5] Pruitt v. State, 310 S.C. 254, 423 S.E.2d 127, 128 n. 2 (1992)[issue must be raised and ruled

the Respondent's first PCR is unambiguous in that the Court of Appeals found no arguable merit to the Respondent's *pro se* Johnson reply (including a *pro se* motion/request to remand and the testimony of Bellamy).[6]

> Petitioner's counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner filed a pro se petition.
>
> After careful consideration of the entire record as required by Johnson, 294 S.C. 310, we deny the petition and grant counsel's request to withdraw.

(App. p. 197) (emphasis in original).

There has been no claim of ineffective assistance of appellate counsel during the prior PCR appeal process.

It is the Petitioner's argument that an issue cannot be "newly discovered evidence" for the purposes of S.C. Code Ann. § 17-27-45(c) if that issue was presented and/or ruled on during a prior PCR, including while on appeal. This argument was presented to the PCR court at the PCR hearing, the post-hearing motion, and specifically during the reconsideration hearing. (App. p. 171 – 184, 202 – 205, 231 – 247). S.C. Code Ann. § 17-27-45(c) provides:

> If the applicant contends that there is evidence of material facts **not previously presented and heard** that requires vacation of the conviction or sentence, the application must be filed under this chapter within one year after the date of actual discovery of the facts by the applicant or after the date when the facts could

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on by the PCR judge in order to be preserved for review]. Marlar v. State, 375 S.C. 407, 653 S.E.2d 266, 267 (2007)["Because respondent did not make a Rule 59(e), SCRCP motion asking the PCR judge to make specific findings of fact and conclusions of law on his allegations, the issues were not preserved for appellate review...."].

[6] Lyles, 673 S.E.2d 811, *citing* Williams, 305 S.C. 116.

> have been ascertained by the exercise of reasonable diligence (emphasis added).

The PCR court erred by finding that the issue satisfied the requirements of S.C. Code Ann. § 17-27-45(c), and was not subject to summary judgment per S.C. Code Ann. § 17-27-70(c), and/or a directed verdict when the allegation was untimely and/or successive. Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991).

ARGUMENT 2

BECAUSE A GUILTY PLEA IS A WAIVER OF DEFENSES, THE COURT OF APPEALS ERRED BY NOT REVERSING THE PCR COURT'S ORDER GRANTING RELIEF WHEN THE ORDER WAS BASED ON AN ERROR OF LAW

> COURT: I tell you that, sir, because you may have some defenses to this charge, Mr. Jamison. Of course, I have no way of knowing that, but you need to realize that by pleading guilty here today, you give up any defenses you might have. Do you understand that, Sir?
> THE DEFENDANT: Yes, Sir.

(App. p. 15 L. 25 – p. 16 L. 6).

The PCR court erred as a matter of law by finding that the Respondent was entitled to relief because "he entered a plea to a lesser offense because he could not get anyone to back up his claim of self-defense." (App. p. 260). A guilty plea acts as a waiver of all non-jurisdictional defects and defenses. State v. McKennedy, 348 S.C. 270, 280, 559 S.E.2d 850, 855 (2002). Waiver is "an intentional relinquishment or abandonment of a known right or privilege." Johnson v. Zerbst, 304 U.S. 458, 464, 58 S. Ct. 1019, 82 L. Ed. 1461 (1938); State v. Passaro, 350 S.C. 499, 505, 567 S.E.2d 862, 866 (2002); Roddy v. State, 339 S.C. 29, 33, 528 S.E.2d 418, 421 (2000); State v. Munsch, State v. Thomason, 341 S.C. 524, 526, 534 S.E.2d 708, 710 (Ct. App. 2000), 314, State v. Munsch, 287 S.C. 313, 338 S.E.2d 329, 330 (1985); Thomason, 341 S.C., 526; *see* Gibson v. State, 334 S.C. 515, 514 S.E.2d 320 (1999).

The PCR court did not grant relief on a claim of ineffective assistance of

plea counsel [Delgado]. There has been no claim of ineffective assistance of prior PCR counsel, circuit level [Kimbrough] or appellate [Pachak]. The Respondent's guilty plea was a knowing and voluntary waiver of self-defense.[7] The plea transcript made clear that the State (and the Respondent) was aware that none of the "hundreds of people" at the scene was willing to give a statement. (App. p. 24 L. 17 - 18). By pleading guilty, the Respondent was waiving his right to trial and to present his defense(s); and he did so knowing that it was at least possible that someday down the line one of the more than a hundred people may decide to come forward and testify if he went to trial. "Many defendants reasonably enter plea agreements even though there is a significant probability-much more than a reasonable doubt-that they would be acquitted if they proceeded to trial." Premo v. Moore, 131 S. Ct. 733, 744, 178 L. Ed. 2d 649 (2011). The entire objective of a plea deal is to avoid the unknown – for both sides. Accepting a plea is a risk and foregoing trial is always a risk, obviously the lost opportunity for a possible acquittal, a plea bargain by its nature is not a trial – meaning that the prosecution *or* the defense runs the chance that their case will get weaker or

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[7] Plea counsel informed the plea court that the Petitioner understood the issues of "transferred intent." (App. p. 31 L. 20 – 21). The victim was not the intended target and the victim did nothing to threaten the Respondent. "And you know, he wasn't doing anything to me or nothing like that. I didn't have nothing – you know what I'm saying, I didn't have nothing against him." (App. p. 35 L. 13 – 19). "[T]hat boy had never caused him a problem." (App. p. 50 L. 20 - 21). "Matthew would say, I didn't mean to shoot the boy, and he would cry. And he didn't mean to shoot the boy. But he meant to shoot the other fellow and the boy got killed." (App. p. 51 L. 3 – 6). Even with manslaughter, sufficient legal provocation must come from the victim, not from a third party. Harris v. State, 354 S.C. 382, 387, 581 S.E.2d 154, 156 (2003). The plea transcript reflects that it was because of the imperfect self-defense aspect of the situation that the plea negotiations evolved from murder to voluntary manslaughter. (App: p. 22 - 35).

stronger, that stories may change, that witnesses can become available or unavailable, etc. Id. The Respondent was specifically warned when he entered his plea that he was waiving his right to trial and put up a defense. His waivers were knowing and voluntary; he had effective counsel; there was no withholding of evidence by the State; there were no court errors.

The South Carolina Court of Appeals' decision consists of the final sentence of their opinion. In the opinion, the South Carolina Court of Appeals cited S.C. Code Ann. § 17-27-70(b) and explained that summary dismissal is not proper if there exists a material issue of fact. The Petitioner respectfully submits that the Respondent's successive PCR was ripe for summary dismissal because there was no genuine issue of material fact that the purported newly discovered evidence was not presented during the Respondent's first PCR action. It is uncontested that the purported newly discovered evidence was previously submitted to the South Carolina Court of Appeals during the Respondent's prior PCR action.[8] The Respondent's 2nd PCR was ripe for summary dismissal as a matter of law.

Similarly, the Petitioner also submits that the South Carolina Court of Appeals' reliance on State v. DeAngelis is in error. State v. DeAngelis, 256 S.C. 364, 182 S.E.2d 732 (1971). State v. DeAngelis was not a PCR action; rather, it was a timely general sessions motion to withdrawal a plea. The Respondent did not file any sort of general sessions motion. Mr. DeAngelis' plea was not entirely complete and he wanted to withdraw his plea prior to

[8] App. p. 218 - 220.

the commencement of his sentence.[9] That is a completely different scenario compared to the Respondent who (affirmatively waived his defenses) pled guilty, began serving his sentence, and even had a prior PCR. The case at hand is a collateral attack, not a general sessions matter. It does not appear that the DeAngelis court was presented with an argument that newly discovered defense evidence is not a valid claim following a guilty plea because a guilty plea is a waiver of all non-jurisdictional defenses. The applicable cases cited by this Court in DeAngelis regarding newly discovered evidence claims are jury trial cases.[10]

In its opinion, the South Carolina Court of Appeals cited DeAngelis, and explained parenthetically, "stating absent error of law or abuse of discretion, this court will not disturb the trial court's judgment". Jamison v. State, Unpub. Op. No. 2012-UP-437 (S.C. Ct. App. filed July 18, 2012). In the case at hand, the PCR court's judgment is clearly based on an error of law. As explained, the PCR court's order granting relief is essentially based **solely** on one single legal authority, i.e. the five (5) part newly discovered evidence test from Hayden, 278 S.C. 610. (App. p. 256). Each of the required five (5) parts of the Hayden test applies to a trial - not to guilty pleas. The first three (3) specifically use the word "trial." The final two (2) parts, materiality and

[9] Mr. DeAngelis pled and was sentenced, but his sentencing was delayed for "one hundred and twenty days within which to arrange his business affairs before he commenced the service of his prison term." DeAngelis, 256 S.C., 368. The procedural history of Mr. DeAngelis' convictions and sentences was more thoroughly explained in his later habeas case. DeAngelis v. State of S.C., 330 F. Supp. 889 (D.S.C. 1971).

[10] Chilton v. Commonwealth, 170 Ky. 491, 186 S.W. 191 (1916); Nothaf v. State, 91 Tex. Crim. 378, 239 S.W. 215 (1922); State v. Augustine, 131 S.C. 21, 126 S.E. 759 (1925).

cumulative/impeaching, are components of a trial.[11] Nevertheless, all five (5) are required. The case law relied on by the PCR court applies only to trials, not guilty pleas - therefore the PCR court's order is controlled by an error law and cannot stand.[12] The PCR court's prejudice analysis defies logic. The PCR court concluded, "the Applicant has established that the after-discovered evidence makes it probable that the result would change if a **new trial** was granted." (App. p. 261) (emphasis added). There is no trial in this case; the Respondent waived his right to have a trial. Accordingly, the granting of relief by the PCR court and the Court of Appeals decision affirming the PCR court rests on an error law. "[W]e will reverse the PCR judge's decision when it is controlled by an error of law." Pierce, 338 S.C., 145.

"[T]he [PCR] Court feels that the issue is one of fundamental fairness." (App. p. 260). "Fundamental fairness" is a writ of habeas corpus phrase and the writ of habeas corpus standard is clear, "denial of fundamental fairness" is only valid as a ground for relief when it is "shocking to the universal sense of justice." Butler v. State, 302 S.C. 466, 468, 397 S.E.2d 87, 88 (1990). There is absolutely nothing shocking to the universal sense of justice when a favorable guilty plea is accepted with effective assistance of counsel and there

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[11] The supposed newly discovered evidence is not material because there is no evidence to support the legal theory of self-defense (even if transferred self-defense was an established defense) when no evidence of probative value exists to support the notion that a reasonable prudent man of ordinary firmness and courage could entertain the belief that another man while holding a child in both hands and while in retreat, could possibly be a **present** threat of life or serious bodily injury.

[12] This is not to suggest that newly discovered evidence can never be the basis for relief following a plea. Classic habeas relief exists when other remedies are inadequate or unavailable and there is the extraordinary "unique and compelling circumstance." McWee v. State, 357 S.C. 403, 406, 593 S.E.2d 456, 457 (2004).

are no court errors. Waiving the unknown is the entire function of a plea – not a mechanism to undo it.

> Plea bargains are the result of complex negotiations suffused with uncertainty, and defense attorneys must make careful strategic choices in balancing opportunities and risks. The opportunities, of course, include pleading to a lesser charge and obtaining a lesser sentence, as compared with what might be the outcome not only at trial but also from a later plea offer if the case grows stronger and prosecutors find stiffened resolve.

Premo v. Moore, 131 S. Ct. 733, 741, 178 L. Ed. 2d 649 (2011).

After all, plea bargaining "*is* the criminal justice system." Missouri v. Frye, 132 S. Ct. 1399, 1407, 182 L. Ed. 2d 379 (2012) (emphasis in original).

In response to the Respondent's issue preservation argument(s), the waiver issue was raised in the State's pleading(s); the PCR court specifically rejected the waiver issue in its order (as drafted by the Respondent). (App. p. 206-208; 199; 259). The Court of Appeals rejected the Respondent's issue preservation arguments by ruling on the waiver issue, *citing* De Angelis. (App. p. 390).

CONCLUSION

For the reasons stated above, this Court should reverse the Court of Appeals and the PCR Court's Order thereby denying the relief sought by the Respondent.

Respectfully submitted,

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By:
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Columbia, South Carolina
May 16, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal From Richland County
Honorable William P. Keesley, Circuit Court Judge

MATTHEW JAMISON, 267844,

Respondent,

v.

STATE OF SOUTH CAROLINA,

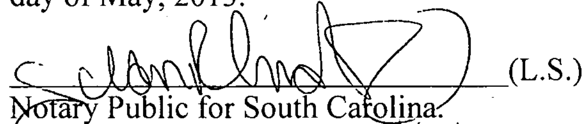
Petitioner.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Brief of Petitioner has been served upon opposing counsel, Tricia A. Blanchette by delivering two (2) copies addressed to: Post Office Box 12725; Columbia, SC 29211; with postage prepaid, this 17th day of May, 2013.

For
BRIAN T. PETRANO
ATTORNEY FOR PETITIONER

SWORN to before me this 17th
day of May, 2013.



(L.S.)
Notary Public for South Carolina
My Commission Expires: 3/12/23