

SUPREME COURT OF SOUTH CAROLINA

Matthews v. State, 358 S.C. 456

596 S.E.2d 49 (2004) · No. No. 25813 · Decided April 26, 2004

SUMMARY

The Supreme Court of South Carolina held that trial counsel was ineffective for failing to request a competency hearing before the petitioner entered guilty pleas. Based on evidence of intellectual disabilities and severe brain damage, the court vacated the guilty plea and granted the petitioner a new trial.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of South Carolina                                                                                                                                                                                                                                                                                                                        |
| WRITING FOR THE COURT | Chief Justice Toal; Justice Moore; Justice Waller; Justice Burnett; Justice Pleicones                                                                                                                                                                                                                                                                  |
| JURISDICTION          | South Carolina                                                                                                                                                                                                                                                                                                                                         |
| DECIDED               | April 26, 2004                                                                                                                                                                                                                                                                                                                                         |
| DOCKET                | No. 25813                                                                                                                                                                                                                                                                                                                                              |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | Petitioner sought review of an order denying post-conviction relief after the PCR judge found trial counsel effective, while ordering the Department of Corrections to treat petitioner as though he had pleaded guilty but mentally ill. The South Carolina Supreme Court reversed the PCR ruling, vacated the guilty plea, and granted a new trial.  |
| STANDARD OF REVIEW    | In a PCR action, the petitioner must prove incompetence at the time of the guilty plea by a preponderance of the evidence. Ineffective assistance requires proof of deficient performance and prejudice under Strickland; under Jeter, prejudice may be shown by a reasonable probability that the petitioner was incompetent at the time of the plea. |
| PRECEDENTIAL VALUE    | Published South Carolina Supreme Court opinion; precedential.                                                                                                                                                                                                                                                                                          |
| PARTIES               | Henry Matthews v. State of South Carolina                                                                                                                                                                                                                                                                                                              |

TOPICS

- state post-conviction relief
- ineffective assistance
- due process
- criminal procedure
- plea bargaining

## PRACTICE AREAS

criminal procedure

post-conviction relief

ineffective assistance of counsel

## QUESTIONS PRESENTED

1. Whether trial counsel was ineffective for failing to request a Blair hearing to determine Matthews's competency to stand trial before his guilty plea.
2. Whether Matthews proved that he was incompetent when he entered his guilty plea and that counsel's failure to request a competency hearing prejudiced the outcome.

## HOLDINGS

1. Trial counsel rendered ineffective assistance by failing to request a Blair hearing in light of substantial evidence that Matthews was incompetent to stand trial.
2. Due process prohibits the conviction of an incompetent defendant, and that protection cannot be waived by a guilty plea.

## KEY QUOTATIONS

*“Due process prohibits the conviction of an incompetent defendant, and this right may not be waived by a guilty plea.” (458)*

*“We find that trial counsel's failure to request a Blair hearing prejudiced petitioner under the Jeter standard because there was, at minimum, a “reasonable probability” that petitioner was incompetent at the time of his guilty plea.” (460)*

## FACTUAL BACKGROUND

Matthews pleaded guilty to several serious offenses after having suffered a near-fatal automobile accident approximately one year earlier. The accident caused anoxia and severe frontal-lobe brain damage, and the record also showed preexisting learning disabilities and an IQ of approximately 60. Psychiatrist John Cusack testified, based on five evaluations, that Matthews was incompetent and unable to participate in his own defense. Trial counsel did not request a Blair competency hearing.

## PROCEDURAL HISTORY

Matthews pleaded guilty to armed robbery, attempted armed robbery, carjacking, and accessory after the fact to murder, receiving an agreed thirty-year sentence for armed robbery and concurrent sentences on the remaining offenses. He did not appeal, but later filed an application for post-conviction relief. The PCR judge denied relief but ordered GBMI treatment; the Supreme Court held that counsel was ineffective for failing to request a competency hearing.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

The opinion states that Matthews's guilty plea was vacated and that he was granted a new trial. No further specific remand instructions are stated.

## CASES CITED

- Jeter v. State, 308 S.C. 230, 417 S.E.2d 594 (1992)
- Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052, 80 L. Ed. 2d 674 (1984)
- Gallman v. State, 307 S.C. 273, 414 S.E.2d 780 (1992)
- State v. Blair, 275 S.C. 529, 273 S.E.2d 536 (1981)

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