



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
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January 17, 2023

David Israel Smith, 00360603  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville SC 29010

Re: The State v. David I. Smith  
Appellate Case No. 2022-001410

Dear Mr. Smith:

Enclosed is the decision of the Court. The transcript is due to be ordered within thirty (30) days of the date of this letter.

Very truly yours,

A handwritten signature in blue ink that reads "Jenny A. Kitchings". The signature is fluid and cursive.

CLERK

cc: Alan McCrory Wilson, Esquire  
William M. Blicht, Jr., Esquire  
Jessica Ashley Baldwin, Esquire  
Robert Michael Dudek, Esquire  
Luke J Malloy, III, Esquire

# The South Carolina Court of Appeals

The State, Respondent,

v.

David Israel Smith, Appellant.

Appellate Case No. 2022-001410

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## ORDER

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Attorney Luke Malloy has filed a motion to be relieved as counsel. Attorney Malloy explains he has not represented Appellant since 2014, left the employ of the Charleston County Public Defender's Office in 2017, and is now practicing in Virginia. Since 2014, however, Appellant filed a number of pro se motions with the plea court, and on July 27, 2022, the plea court issued an order denying reconsideration of Appellant's sentence. Appellant has now filed a pro se notice of appeal from that order. Due to these circumstances, we grant Attorney Malloy's motion to be relieved as counsel, accept Appellant's pro se notice of appeal and deficiency corrections of October 28, 2022, as filed, and reinstate this appeal.



FOR THE COURT

Columbia, South Carolina

cc:

David Israel Smith, 00360603  
Alan McCrory Wilson, Esquire  
William M. Blich, Jr., Esquire  
Jessica Ashley Baldwin, Esquire

**FILED**  
**Jan 17 2023**

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Robert Michael Dudek, Esquire  
Luke J Malloy, III, Esquire