The Supreme Court of South Carolina

McKinley Daniels, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2023-000087

ORDER

Counsel for Petitioner, Chief Appellate Defender Robert Dudek, has filed a motion for the appointment of outside counsel on the ground that the Commission on Indigent Defense, Division of Appellate Defense has a conflict of interest. The motion is granted, and Mr. Dudek is hereby relieved as counsel for Petitioner. James K. Falk, who represented Petitioner before the circuit court, is appointed to represent Petitioner in this matter. The Division of Appellate Defense shall remain associated for the limited purpose of paying for any necessary transcript(s) and providing copies of the petition, appendix, and briefs. Further, counsel has filed a motion to hold the time limits in this matter in abeyance pending the decision as to the appointment of counsel. The motion is denied as moot as the time limits were held in abeyance pursuant to Rule 240(b), SCACR (providing a motion to relieve counsel shall automatically stay the time limits for perfecting the appeal until the motion is decided). Petitioner shall serve and file his petition for a writ of certiorari within thirty days of receipt of the transcript of the proceedings in the circuit court.

_____ C.J.
FOR THE COURT

Columbia, South Carolina
March 8, 2023

cc:
James Kristian Falk, Esquire
Robert Michael Dudek, Esquire
Chelsey Faith Marto, Esquire