

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County

R. Knox McMahon, Circuit Court Judge

KEITH SIMS,

PETITIONER,

V.

THE STATE OF SOUTH CAROLINA,

RESPONDENT.

RECEIVED

JUN 24 2013

S.C. SUPREME COURT

Appellate Case No. 2012-213330

UNOPPOSED MOTION TO SUBSTITUTE APPOINTED COUNSEL

Counsel Tynika Claxton respectfully requests that this Court relieve her as counsel for Petitioner in the above referenced appeal and appoint Tristan M. Shaffer as counsel of record for Petitioner. In support of this motion, counsel would respectfully show the Court the following:

1. By order dated June 4, 2013, this Court ordered that Ms. Claxton serve as counsel of record for Petitioner.
2. Ms. Claxton is an experienced trial lawyer, but has very little experience with in appellate courts. Based on her lack of familiarity with appellate procedure, Ms.

Claxton believes that Petitioner would be better served by an attorney with more experience with appellate practice.

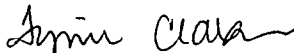
3. Ms. Claxton has spoken to Tristan Shaffer who has agreed to substitute as counsel of record for Petitioner pursuant to Rule 608, SCACR. Mr. Shaffer formerly worked for the Division of Appellate Defense and is more familiar with appellate procedure. Mr. Shaffer has authorized Ms. Claxton to indicate his consent to this appointment.

4. Counsel for the State, Megan Harrigan, has also authorized Ms. Claxton to indicate that she does not oppose this request.

5. This request is made in good faith, and not for purposes of delay.

WHEREFORE, Ms. Claxton respectfully requests that this Court relieve her as counsel for Petitioner and appoint Tristan Shaffer as counsel of record pursuant to Rule 608, SCACR. Counsel requests that that all time limits concerning this case be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Tynika Claxton

June 21, 2013

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

HONORABLE KNOX MCMAHON, CIRCUIT COURT JUDGE

2012-213330

Keith Sims, # 314569,

PETITIONER,

vs.

STATE OF SOUTH CAROLINA,

RESPONDENT.

PROOF OF SERVICE

I certify that I have served the Unopposed Motion to Substitute Appointed Counsel on the State of South Carolina by depositing copy of it in the United States Mail, postage prepaid, on June 21, 2013, addressed to their attorney of record, Robert Daniel Corney, Office of Attorney General State of South Carolina, Post Office Box 11549, Columbia, SC 29211-1549.

Dated: June 21, 2013

THE CLAXTON LAWFIRM, L.L.C.



Tynika Claxton
Attorney for the Petitioner
Post Office Box 50
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(803) 400-1195

THE CLAXTON LAW FIRM
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803-400-1195 (P)
803-675-0259 (F)

June 21, 2013

Clerk of Court
Supreme Court
1231 Gervais Street
Post Office Box 11330
Columbia, SC 29211

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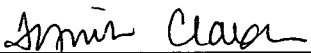
Re: Keith Sims, #314569 v. State of South Carolina
2012-CP-40-213330

S.C. SUPREME COURT

Dear Sir/Madam:

Please find enclosed an Unopposed Motion To substitute Appointed Counsel in the above matter. Please file a copy with the court and return a copy in the self-addressed envelope provided.

THE CLAXTON LAW FIRM, L.L.C.



Tynika Claxton

enclosure

The Claxton Law Firm, LLC
P.O. Box 50
Elythewood, SC 29016



Clerk of Court
Supreme Court
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Columbia, SC 29211