

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Georgetown County Court of General Sessions
The Honorable Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2022-000671

The State of South Carolina.....Respondent

v.

Terron G. Dizzley..... Appellant

**COUNSEL’S RESPONSE TO TERRON G. DIZZLEY’S
MOTION TO AMEND EMERGENCY MOTION
TO RELIEVE COUNSEL AND PROCEED *PRO SE***

Undersigned Counsel for the Appellant, Terron G. Dizzley, hereby submits the following Response to his Motion to Amend Emergency Motion to Relieve Counsel and Proceed *Pro Se*.

Counsel timely filed the Initial Brief of Appellant on April 18, 2023 on Mr. Dizzley’s behalf. In mid-March, Mr. Dizzley did advise Counsel that their representation was terminated by email and phone conversation. However, Mr. Dizzley had not properly moved to relieve counsel by the April 19, 2023 deadline set for the Initial Brief. Instead, on March 30, 2023, several voluminous “emergency” pleadings were filed on Mr. Dizzley’s behalf that in sum request this

Court to relieve counsel and allow Mr. Dizzley to proceed *pro se*. These filings were sent by two individuals not licensed to practice to law¹ nor were they properly served upon Counsel. Accordingly, they were not accepted as properly filed and were non-operative. Mr. Dizzley had been previously advised that Counsel would remain as his attorney of record unless and until the proper filing was made to relieve counsel and should this not occur, Counsel would file the Initial Brief in order to prevent untimeliness and further delay.

The deadline for filing the Initial Brief of Appellant in this case was set for April 19, 2023 after three (3) extensions of time were previously granted by this Court, which had been requested at the behest of Mr. Dizzley. In light of this deadline and without the proper filings to relieve counsel having been made by Mr. Dizzley, Counsel properly filed the Initial Brief of Appellant on April 18, 2023 on his behalf.

Counsel understands that Mr. Dizzley is dismayed by the course of proceedings thus far, and despite the unfounded claims asserted in his filings, Counsel does not oppose Mr. Dizzley's strong wish to proceed *pro se*. However, in light of the Initial Brief already having been properly filed by Counsel, other compelling interests would be implicated in granting Mr. Dizzley's request, such as judicial economy, prevention of inconvenience or prejudice to the State, etc. Counsel would therefore request that Mr. Dizzley's Emergency Motion to Relieve Counsel and Proceed *Pro Se* be determined by this Court.

Respectfully Submitted,

¹ It should also be noted that Counsel had repeatedly admonished Mr. Dizzley that such filings were not legitimate unless filed by a licensed attorney and had advised against taking such action.

By: s/ William G. Yarborough, SC # 10271

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Apr 25 2023

SC Court of Appeals

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Response to his Motion to Amend Emergency Motion to Relieve Counsel and Proceed *Pro Se* filed in the above-captioned case were served upon Senior Assistant Deputy Attorney General Melody Brown, by email to her AIS email address: MBrown@scag.gov.

This day, the 25 th day of April 2023.

Respectfully Submitted,

By: s/William G. Yarborough, III

