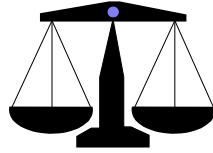


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RECEIVED

Aug 15 2023

S.C. SUPREME COURT

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August 15, 2023

The Honorable Patricia A. Howard
Supreme Court of South Carolina
Clerk of Court
1231 Gervais Street
Columbia, SC 29201

Re: Ashley Tavelle Prior, SCDC No. 00290973, Appellate Case No. 2022-000564

Dear Ms. Howard,

My Amended Petition for Writ of Certiorari was due this past Friday, August 11, 2023. I had been given an extension until that date in order to allow me time to have a face to face meeting with Mr. Prior. I prepared to file the Amended Certiorari Petition in this matter by August 11, 2023, but also arranged a meeting with Mr. Prior for the morning of Friday, August 11, 2023. I asked for that opportunity in light of my concerns about this client's mental health.

I found Mr. Prior to be a very pleasant client with the ability to communicate with me well. He asked intelligent questions and listened attentively to my answers. I spent hours with Mr. Prior and had ample opportunity to observe the consistency in his responses to my questions and his appropriate follow up questions. We thoroughly discussed all the South Carolina law applicable to the sentencing issues in his case and then discussed at length both the potential benefits of proceeding with his PCR Appeal and also the potential risks involved in doing so. He consistently emphasized that all he wanted was the fifteen year offer he had turned down before he understood the basis for the second burglary first indictment issued in his case as opposed to the initial indictment. After hours of discussion concerning his case, he clearly indicated that if he could not be assured that he would not end up worse off than the twenty (20) sentence he received, and the substantial benefit he received from Judge Keesley on his Motion for Reconsideration of sentence, it was not worth the risk and he wanted to just stick with what he had.

As previously noted, I spent hours with Mr. Prior and am confident he fully understood everything we discussed and that he has made a knowing and intelligent decision in this matter. That was not what I had expected when I went to see him. Because of that, I had not prepared an Affidavit to Withdraw to take with me. I hand wrote an Affidavit for Mr. Prior's signature and an SCDC employee from their operations department notarized it for me. A copy of that affidavit is attached to this correspondence. It is

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my intent to send a typed version of this affidavit to Operations at Kirkland Correctional Institution and have it notarized and returned to me.

I was in court in York County on another matter yesterday and did not get back until nearly 6:00 and went straight home. This morning I found out another client of mine is gravely ill and has been moved from SCDC to a hospital in North Charleston. I am afraid trying to find out that client's location and condition have taken up some of my day. I still hope to get that typed affidavit executed and returned to me this week. I will of course send the Court a copy of that more formal looking affidavit for the file. For now, I hope this hand written affidavit will suffice. I believe this decision is in the client's best interests and hope my client's request to withdraw this appeal will be granted. One last thing I should note. William Blich, is technically still Counsel for Respondent in this matter. It is my understanding that he has already had his farewell party and tomorrow is his final day at the Office of the Attorney General. I checked on who would be replacing him today and was advised that Cruise Mitchell, Esquire, will be replacing Mr. Blich in this matter as soon as their Letter of Appearance for him is processed. Please let me know if the Court wishes me to file a formal Petition for Withdrawal in this matter. Thank you very much.

Sincerely,

S/ *Tara D. Shurling*

Tara Dawn Shurling
Attorney at Law

TDS/ts

Cc: William Blich, Esquire
Cruise Mitchell, Esquire
Ashley Tavelle Prior, SCDC # 290973