

In the Supreme Court of South Carolina

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S.C. SUPREME COURT

Ben Robert Stewart,

v.

The State of South Carolina,

Appellate Case

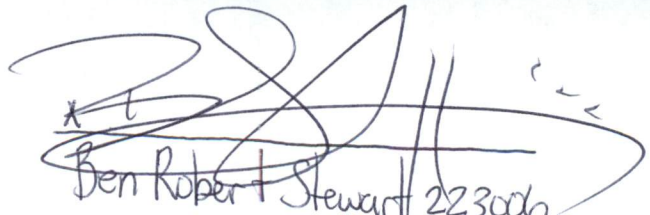
No. 2023-001478

Motion For Appointment of Counsel

The Appellant Ben Robert Stewart, pro se, this motion for Appointment of Counsel. The Appellant is appealing a Post Conviction relief decision, August 25, 2023, by the Honorable, Eugene C. Griffith. Case No: 2013-CP-46-3731 from York County. The Appellant was represented by Ola A. Johnson Esquire, who forward or otherwise transferred Appellants case to the Indigent Defense for appellate review see; Exhibit C5 Letter to Appellate Defense whereas there is a conflict of interest(1)

because the office has filed an Anders' opinion regarding direct appeal and (2) because Appellant has raised ineffective assistance of appellate counsel, so accordingly in concert a Johnson Petition would be filed and denial of a corrective process, or available procedures; quoting Section 2254 would not be available. Again, there exist an conflict of interest in this case and Appellant respectfully request this Honorable Court to appoint new Counsel in the interest of Justice.

WHEREFORE, Appellant prays the request for new counsel is granted.


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