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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

November 30, 2023

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Earnest Maurice Allen v. State of South Carolina
Appellate Case No. 2019-002056

Dear Ms. Kitchings:

The above-referenced post-conviction relief appeal is scheduled for oral argument before this Court on Tuesday, December 5, 2023, at 10:40 a.m. in Courtroom II. This letter is to request permission from the Court for me to be substituted as counsel of record for the State and to represent the State in the oral argument.

Please be advised I have not yet completed the trial experiences required by Rule 403 of the South Carolina Appellate Court Rules. Therefore, if permitted by this Court, I will be accompanied at the oral argument by Senior Assistant Deputy Attorney General Mark R. Farthing, who has completed all the requirements of Rule 403 and will remain present throughout the hearing. See Rule 403(a), SCACR (“Although admitted to practice law in this State, an attorney shall not appear as counsel in any hearing, trial, or deposition in a case pending before a court of this State until the attorney’s trial experiences required by this rule have been approved by the Supreme Court. An attorney whose trial experiences have not been approved may appear as counsel if the attorney is accompanied by an attorney whose trial experiences have been approved under this rule or who is exempt from this rule, and the other attorney is present throughout the hearing, trial, or deposition.”).

Please forward all future correspondence regarding this matter directly to me, and do not hesitate to contact me at (803) 734-3319 if you have any questions or concerns or need any additional information from this office. Thank you very much.



ALAN WILSON
ATTORNEY GENERAL

Sincerely,

Andrew D. Powell
Staff Attorney
S.C. Bar Number 106415

ADP/gs

cc: Kathrine H. Hudgins, Esquire
Victim Advocacy Division

Grace Sommer

From: Grace Sommer
Sent: Thursday, November 30, 2023 10:56 AM
To: Hudgins, Kathrine
Cc: Andrew Powell; Stock, Chris; Mark Farthing
Subject: Earnest Maurice Allen v. State of South Carolina (2019-002056)
Attachments: ALLEN Earnest - Oral Argument Counsel Substitution Letter (03447153xD2C78).PDF

Good Morning Ms. Hudgins,

Attached please find an oral argument counsel substitution letter in Earnest Maurice Allen v. State of South Carolina (2019-002056). This document will be filed today with the Court of Appeals via the AIS OneDrive System.

If you will, please confirm receipt of this email.

Thank you,

Grace Sommer, Legal Assistant
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