

ORIGINAL

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Abbeville County  
Thomas Russo, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**  
JUL 25 2013  
S.C. Supreme Court

STATE OF SOUTH CAROLINA,

PETITIONER,

V.

ALTI MONTE HASKELL,

RESPONDENT

Appellate Case No. 2013-001202

\_\_\_\_\_  
RETURN TO MOTION FOR APPOINTMENT  
OF OUTSIDE COUNSEL  
\_\_\_\_\_

- 1) Petitioner was indicted by the Abbeville County grand jury for the offenses of assault and battery with intent to kill, attempted armed robbery, and possession of a deadly weapon during a violent crime.
- 2) He was found guilty on all counts after a three-day trial before the Honorable Roger Couch. Judge Couch sentenced appellant to an aggregate term of 20 years imprisonment.
- 3) Petitioner was represented on appeal to the Court of Appeals by Appellate Defender Kathrine Hudgins. The Court of Appeals affirmed petitioner's convictions. Rehearing was

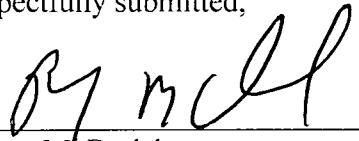
denied and appellate counsel unsuccessfully sought to file a petition for writ of certiorari with this Court.

4) Petitioner then filed an application for post-conviction relief asserting ineffective assistance of trial and appellate counsel. The state filed a return to the PCR application. An evidentiary hearing was then held before the Honorable Thomas Russo. In his order dated April 26, 2013, Judge Russo ruled both trial and appellate counsel provided ineffective assistance of counsel.

5) Since Appellate Defender Hudgins was found ineffective in this case, while expressing no opinion on that finding, the undersigned Chief Appellate Defender agrees with petitioner and the Attorney General that the appointment of outside counsel would be proper in this PCR appeal.

WHEREFORE, the undersigned Chief Appellate Defender joins in petitioner's motion for the appointment of outside counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. M. Dudek", written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

July 25, 2013

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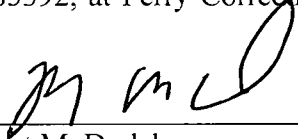
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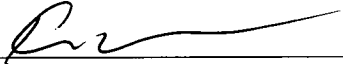
CERTIFICATE OF SERVICE

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The undersigned attorney hereby certifies that a true copy of the return to the motion for outside counsel in the above-referenced case has been served upon opposing counsel, J. Rutledge Johnson, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and upon Alti Monte Haskell, #185392, at Perry Correctional Institution, this 25th day of July, 2013.

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

SUBSCRIBED AND SWORN TO before me  
this 25th day of July, 2013.

  
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(L.S.)  
Notary Public for South Carolina  
My Commission Expires: October 2, 2013.