

Ben Robert Stewart, 223006  
990 Wisacky Highway  
Bishopville, S.C. 29010

**RECEIVED**

MAR 01 2024

S.C. SUPREME COURT

February 27, 2024

Honorable, Patricia A. Howard, Clerk,  
Post office box 11350  
Columbia, S.C. 29211

Re; Appellate Case No: 2023-001478  
Ben Robert Stewart v. State,

Dear Clerk:

I am the Appellant in the captioned matter appealing a Post Conviction Relief Application in York County Case No: 2013-CP-46-3731, before the Honorable Eugene C. Griffith, Judge, April 17, 2017, Order dismissing the PCR August 25, 2023. Please take judicial notice that (1) Post conviction relief Attorney, Ola A. Johnson, was not ordered to be relieved nor was a motion filed for counsel to be relieved on an appeal pursuant to statute and (2) this procedural violation has interfered with the Appellant's ability to file any pleadings. Mr. Johnson failed to file such as a mandated statutory 59 Motion to request for a new trial, and preserved claims raise

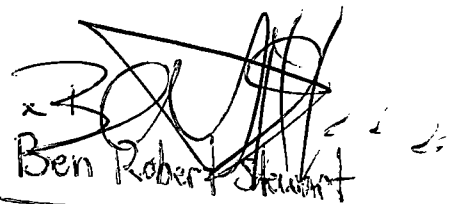
or alter or amend judgment, see; SCRCP Rule 59.

In attempt to avoid violating Rules of the Court, I have filed Motion For Appointment of Counsel outside of the Indigent Defense due to a conflict of interest, an Amended Petition against Attorney Dudek and Motion Affidavit and Cause for Appointment of Counsel including a Declaration and Affidavit of facts for Cause, according to Rule 71.1 (g) Appellate Review; Continuing Representation, see; Exhibit #13- Letter From York County Clerks office Angie Bryant Returning pleading because Attorney Johnson is still attorney of record and no such motion was filed with the Clerk as of September and October of 2023.

Appellants due process and equal protection of the laws are violated as well as the Rules of Court and the Rules of Professional Conduct. Accordingly; pursuant to these facts set forth could you please direct the proper functions for these issues described herein or request a Motion or Briefing related to the substances presented for just cause respectively, whereas these are procedures violations.

Thank you for your time

cc/

  
Ben Robert Skunk

990 Wisacky Highway  
Bishopville, S.C. 29010



CLERK OF COURT'S OFFICE

Post Office Box 649, York, South Carolina 29745-0649

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MAR 01 2024

Date: 10/25/2023 2:18:02 PM
TO: Ben Robert Stewart
FROM: Angie Bryant, YORK COUNTY CLERK OF CO
RE: PCR Motion/2013CP4603731

The above referenced document is being returned for

- 1. \_\_\_ Requires address, phone number if filing Pro
2. \_\_\_ Not dated
3. \_\_\_ Not signed
4. \_\_\_ Not notarized
5. \_\_\_ Incorrect filing fee, Correct amount due: \_\_\_
6. \_\_\_ Requires original signature
7. \_\_\_ Requires a Civil Action Cover Sheet
8. \_\_\_ Requires Civil Action Cover Sheet filled out i
(state nature of action, Jury/Nonjury, Sign
9. \_\_\_ Requires a Motion Cover Sheet
10. \_\_\_ Requires a Motion Cover Sheet & \$25
11. \_\_\_ This is not a York County Common Pleas Co
12. \_\_\_ Check/money order must be payable to C
13. \_\_\_ Document is a copy, must file original signc
14. \_\_\_ Judge denied Motion to Proceed in Forma pauperis

Original lawsuit is being returned to you and if you wish to pursue you will need to pay the \$150.00 filing fee.

15. \_\_\_X\_\_\_ Other

Mr. Stewart, your documents are being returned to you, as your case is under appeal. We must await the ruling of the Appellant Court. Also, you are actively represented by attorney Ola Johnson, all court files must come to us from your attorney.

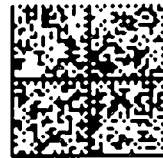
Thank you,
Common Pleas
Clerk of Court

We can not file your documents until the Appellant Court has made its ruling. Also there is NO order reliving your counsel so any filings you wish to submit must come through Mr Johnson. Thanks

S.C. SUPREME COURT

Ben Robert Stewart, 22800p  
990 Wiscacky Highway  
Bishopville, S.C. 29010

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S.C. SUPREME COURT

The Honorable, Patricia A. Howard Clerk  
Post Office Box 11330  
Columbia, S.C. 29211

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FEB 28 2024

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MAR 15 '24

**MAIL ROOM**