

The State of South Carolina
IN the Supreme Court

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Appeal From Charleston County
Court of Common Pleas

S.C. SUPREME COURT

Honorable Deadra L. Jefferson, Circuit Court Judge

CASE No: 2012-CP-10-0684 2013-001537

Theodore Cobbs, Appellant,

VS.

The State, Respondent.

Notice of motion and motion for Appointment
of Counsel "out side of The South
Carolina Appellate Defense office"

Now comes Appellant (Theodore Cobbs) moving this honorable
Court to appoint him Counsel "outside of The South Carolina
Appellant Defense office", pursuant to this honorable Court's
Authority and in the interest of Justice.

FACTS

Appellant's PCR Application was filed on January 30, 2012 in
Charleston County. The Respondent made it's Return on August
16, 2012. An evidentiary hearing on the matter was convened on MAY
20, 2013 where honorable Deadra L. Jefferson "Verbally denied" said
PCR Application. Appellant then petition the PCR Court with a

- have constructed this PCR case to fit their version of what's legal and illegal. Page 14 of Judge Jefferson's final order of denial of PCR is dated August 14, 2013 and signed by her.
- Appellant contends this order should be voided and a new order has to issue and reset all time lines and motions which were filed.
- Appellant's PCR Order of denial reveals he claimed ineffective assistance of counsel against his Appellant Attorney who was a member of the South Carolina Appellate Defense office. It would be unfair and a denial of due process of law to have any lawyer from the office of Appellate Defense represent Appellant on his pending appeal.
- Appellant also believes the court should be made aware that during his PCR process, Appellant filed a "disciplinary complaint (#13-DE-L-0626) against his allegedly appointed PCR lawyer Charles T. Brooks, III. So it would be also unfair and a denial of due process of law to appoint MR. BROOKS back to this case.
- Appellant should be appointed "outside counsel" to assist him with his pending appeal.
- All allegations within here and Appellant's 59(e) motion and disciplinary complaint against Attorney Brooks, III, should be investigated, because Hon. Jefferson has biased Appellant to receiving

Motion for Reconsideration and Rehearing concerning the Judges "Verbal denial". Said motion also had a clause within it that said the same 59(e) motion was to activate upon a written Order of denial of Appellants PCR once issued.

The honorable Deadra L. Jefferson denied said 59(e) motion on July 10, 2013; but purposely never served Appellant with a copy of her denial of said 59(e) motion until after she also denied Appellant's PCR Application.

Order of Events

- May 20, 2013 "Verbal denial" of PCR Application.
- May 24, 2013 "59(e) against verbal (sic) verbal denial of PCR"
- July 10, 2013 "Judge Jefferson" denied the May 24, 2013 59(e) motion. But she purposely NEVER served Appellant with a copy of this denial until July 31, 2013.
- Hon. Jefferson has continuously shown favoritism and unprofessionalism toward my PCR. And she should had been rescued - removed herself from Appellant's case.
- Hon. Jefferson's final order of denial of Appellant's PCR Application is clock stamped filed July 11, 2013 the same exact date as she denied my 59(e) motion. Hon. Jefferson did not sign the final order until August 11, 2013 (How can this even be?)

The point being if my 59(e) motion and the final order were denied on the same day. why is Appellant just receiving a copy of the denial of his 59(e) motion on July 31, 2013? Clearly Judge Jefferson, Attorney Charles T. Brooks, III, & the Attorney General

any kind of fair PCR hearing. Attorney Brooks should be investigated by this honorable court for his non-representation of Appellant in said PCR proceedings.

Conclusion

For the foregoing reasons this honorable court should grant this motion and see that due process of law is given to the Appellant.

St. Theodore Little
Theodore Lobbs, #330717

Dated: August 12, 2013

The State of South Carolina
IN the Supreme Court

Appeal From Charleston County
Court of Common Pleas

HONORABLE Deadra L. Jefferson, Circuit Court Judge

CASE No: 2012-CP-10-0684

Theodore Cobbs, Appellant,
vs.

The State Respondents.

Proof of Service

I Theodore Cobbs (Appellant) certify that I have this day Served Appellant's Notice of Motion and motion for Appointment of Counsel "out side of The South Carolina Appellate Defense Office", upon the Supreme Court of South Carolina; by depositing one (1) original and one (1) copy of the same in the U.S. mail (by and through the Perry Correctional Institutions legal mail system).

The below parties have been served at the below addresses:

1. The Supreme Court of South Carolina
Hon. Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211

2. Ashleigh R. Wilson
Assistant Attorney General
P.O. Box 11549
Columbia, S.C. 29211-1549

SWORN TO and Subscribed before me
This 2nd day of August 2013
Notary: Steven Milward
EXP: January 2, 2016

St Theodore Cobbs
Theodore Cobbs, #330717
Perry Correctional Inst.
CP-1-B-205/430 OAKLAWN Rd.
Pelzer, S.C. 29669