

Antonio Gordon 259798
ECT Smu A227
610 Hwy 9 West
Bennettsville, SC 29512

Dear Ms. Kitchings:

Enclosed please find the original and
(6) copies of motion for Appointment of Counsel,
Response to the letter dated July 30, 2013. I
would appreciate your filing the original, clocking
the copies, and returning the clock copy to me.

August 7 2013

Antonio
Gordon

cc: Sally W. Elliott

RECEIVED

AUG 12 2013

SC Court of Appeals

State of South Carolina
In the Court of Appeals

Appeal from York County
Court of Common Pleas
John C. Hayes, III, Presiding Judge

1998-GS-46-2847; 2849; 2850
2851; 2852

State of South Carolina

Respondent,

v.

Antonio Gordon

Appellant.

Motion for Appointment of Counsel

Antonio Gordon 259798
ECT SMUA 277
610 Hwy 9 West
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AUG 12 2013

SC Court of Appeals

Appellant, Antonio Gordon, motion this Court for Appointment of Counsel in the Interest of Justice. In support of this motion, Appellant would show unto this Court the following:

Appellant retained Jeremy A. Thompson, esquire, to represent the Appellant on a Rule 29(b) SCRPC motion for a new trial based on after discovered evidence. A hearing was held on March 4 and 8th, 2013, before Honorable John C. Hayes, III, in York County. The Honorable John C. Hayes, III, dismissed Appellant's motion on several grounds and Appellant's Counsel filed a notice of Appeal. This Court ordered that Counsel file a Explanation Pursuant to Rule 203(d)(1)(b)(iv), SCACR.

Counsel filed a Explanation before this Court and argued several reasons as to why the Appellant's Appeal should not be dismissed. This Court agreed with Counsel Explanation and ordered that case can no longer be held in Abeyance. The transcript is due to be ordered within thirty days of the date of the letter dated July 02, 2013.

Appellant's Counsel moved to be relieved as Counsel because Appellant could not come up with the agreeable fee to represent the Appellant in this Appeal. ~~Appellant~~ Appellant's Counsel assisted the Appellant by providing him with an affidavit of indigency. The Appellant returned the complete affidavit of indigency to Counsel and Counsel, in turn, provided the complete affidavit to Appellate Defense. "Appellate Defense declined to accept representation on the basis that they have a policy of not representing indigent defendants Proceedings on Appeals from the denial of Rule 29(b) motions!"

However, Appellant find this untrue because in The State v. Robert M. Koon, Appellate case no. 2011-200608, unpublished Opinion No. 2013-UP-216, the "Appellate Defense" represented KOON on Appeal from a Rule 29(b) motion. Therefore, in the interest of Justice, Appellant should be appointed Counsel in this Appeal because this Court have allowed Appellant's appeal to proceed forward on the merits.

Wherefore, the Appellate respectfully ask this Honorable Court to Appointed Counsel in this Appeal, KOON.

Antonio Gordon

Antonio Gordon
ECT SMU A 227
6010 Hwy 9 West
Bennettsville, SC 29512

This 5th day of August, 2013.

State of South Carolina
In The Court of Appeals

Appeal from York County
Court of Common Pleas
John C. Hayes, III, Presiding Judge

Appellate Case No. 2013-000975
Circuit Court Case No. 1998-65-46-2847;
2849; 2850; 2851; 2852.

State of South Carolina, Respondent,

v.

Antonio Gordon, Appellant.

Certificate of service

The Appellant hereby certifies that one copy of the motion for appointment of counsel in the above-entitled case has been served upon opposing counsel, Sally W. Elliot, Assistant Deputy Attorney General, Office of the Attorney General, P.O. Box 1549, Columbia, SC 29211, by depositing in the U.S. mail with proper postage, this 5th day of August, 2013.

Antonio Gordon
Antonio Gordon Pro Se

Sworn to me this 8th day
of August 2013

Curt Hooper
Notary

MY COMMISSION EXPIRES: Feb. 9th, 2020

