

Re: Warren Russell v. State, Docket No: 2008-CP-40-07960

South Carolina Supreme Court

Petitioner's Motion of - - - - Judicial Notice

Petitioner Warren Russell comes before this court requesting an continuance, so that appointed counsel and this court can properly inform petitioner on his constitutional rights to waive counsel. The necessary steps involving proceeding pro se, transcripts and documents, gathering, and additional time for preparation.

Petitioner is formally requesting to get all copies of transcript and documents in the Appellant defense office, regarding this matter.

Petitioner is requesting to be consulted by his appointed Attorney before any motions are filed to the courts on this matter.

Petitioner is requesting a belated appeal included in this appeal. His request this court and his appointed counsel Mr. L. Dewart to consult with petitioner about his inquiry regarding intelligent by waiving counsel's representations.

As of the date of this Judicial Notice, petitioner has filed request to Appellant defense, of the same, and has yet to get a response. This lack of communication is of concern to petitioner, when this is a time sensitive matter. Petitioner is requesting this court to take Judicial Notice, and grant this request for a continuance, so that this matter can be properly discussed with petitioner, regarding his right to go pro se and all options, and procedures, like wise.

RECEIVED

AUG 19 2013

S.C. SUPREME COURT

Warren Russell

8/12/13

Dear Mr. Shawcross

8/12/13

Re: Warren Russell V. State, Docket No.: 2008-CP-40-07960

This is a formal Request respectfully inquiring on what must be done in order to represent myself in this up coming appeal. I am concerned that because of the appointed counsel lack of response to my communication, that MS. L. Durant is unable or unwilling to respect and or follow the direction that I am requesting in this case.

I have request and filed a request for a belated appeal, trial transcript from all post PCR hearings, and the jury notes from the trial. I have send to MS. Durant a complete brief of these issues, with exhibits to support my finding of facts and conclusions of law. I have requested that MS. Durant request a continuance, to review and consult with me regarding the brief and exhibits, and transcripts and jury notes exhibits, before any documentation to the South Carolina Supreme Court is ever filed. I have seen first hand how the appellant division have only filed a Johnson brief and has abandon all other issues, leaving petitioner procedurally barred in Federal Court.

This because of MS. Durant's failure to communicate, I would like to be informed on the steps that are necessary to have her relieved and proceed pro-se. Once I have received the information and see how MS. Durant responds, I will make an informed decision on whether or not to proceed pro-se.

Nevertheless, this is a request for a continuance until this matter can be addressed on whether or not I should proceed pro-se. "Judicial Notice to this court"

Please respond and stamp and send copies of this Judicial Notice.

Sincerely,
Warren Russell

CC: Appellant division Attn: MS. Durant

MR. BREWSTER BUSHNELL # 316502

SMU # 42

LCF 990 Wismarley Hwy
Bisbeeville, SE 29010

South Carolina Supreme Court

Attn: Secretary, Honorable Clerk of Court

P.O. Box 11330

Columbia, SE 29211

LEGAL MAIL ONLY

RECEIVED

AUG 15 2013

LEE CI MAIL ROOM