

Aug 26 2024

THE SOUTH CAROLINA COURT OF APPEALS S.C. SUPREME COURT

Bobby Joe Barton, #163629
APPELLANT,

V.

STATE OF SOUTH CAROLINA,
RESPONDENT.

APPELLATE CASE #2024-001190

MOTION FOR APPOINTMENT
OF COUNSEL

PURSUANT TO RULE 608 SCA CR

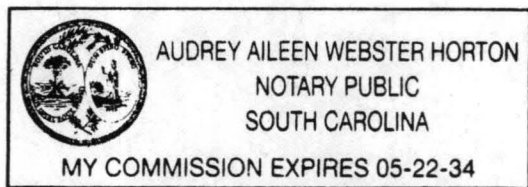
THE APPELLANT MOVE ON THE COURT OF APPEALS OF SOUTH CAROLINA WITH A MOTION REQUESTING APPOINTMENT OF COUNSEL PURSUANT TO RULE 608(b)(4) BECAUSE OF BEING INDIGENT WHEREAS APPELLANT DID FILE THE PROPER FINANCIAL FORMS (DECLARATION) MOTION TO PROCEED IN FORMA PAUPERIS WITH AN AFFIDAVIT AND A CERTIFIED INMATE FINANCIAL STATEMENT FROM S.C. DEPT. CORRECTIONS ON JULY 18, 2024.

APPELLANT RESPECTFULLY ASK THIS COURT TO PLEASE APPOINTMENT OF COUNSEL ARE NECESSARY, IN THE CRIMINAL CONTEXT, THAT RIGHT STEMS FROM THE SIXTH AMENDMENT. THE SUPREME COURT HAS MADE CLEAR THAT THE ASSISTANCE OF COUNSEL IS AN ESSENTIAL REQUIREMENT OF DUE PROCESS WHERE A DEFENDANTS LIBERTY IS AT STAKE, SEE, EG, "GIDEON V. WAINWRIGHT," 372 U.S. 335 (1963); "COOK V. UNITED STATES," 267 U.S. 517, 537 (1925) AND THAT THE RIGHT IS NOT LIMITED TO "CRIMINAL PROSECUTION" WITHIN THE MEANING OF THE SIXTH AMENDMENT.

THE APPELLANT BELIEVES THAT HE HAS SHOWN THE COURT GOOD CAUSE WHY THIS COURT SHOULD GRANT HIS MOTION TO APPOINT COUNSEL IN THIS CASE.

WHEREFORE APPELLANT RESPECTFULLY ASK THE COURT TO GRANT THIS MOTION FOR "APPOINTMENT OF COUNSEL" AND ANY OTHERWISE THIS COURT DEEM JUST AND APPROPRIATE.

RESPECTFULLY SUBMITTED,



Audrey Aileen Webster Horton

08-06-2024

MAILED ON THE 6TH DAY OF AUGUST,
2024, COUNTY OF SPARTANBURG

Bobby Joe Barton

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CC: SC COMMISSION OF INDIGENT DEFENSE
DIVISION OF APPELLATE DEFENSE &
BOBBY JOE BARTON, APPELLANT