

The Supreme Court of South Carolina

Frank Tolen, Jr., Petitioner,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2013-001199

ORDER

This matter is before the Court by way of a notice of appeal from an order of the circuit court denying and dismissing petitioner's application for post-conviction relief, which included, among other allegations, an allegation that the attorney who represented him on direct appeal, Katherine H. Hudgins, of the South Carolina Commission on Indigent Defense, Division of Appellate Defense, was ineffective. The Division of Appellate Defense assumed representation of petitioner upon the filing of the notice of appeal in the current matter. Petitioner has filed a *pro se* motion requesting that the Division of Appellate Defense be relieved as counsel due to a conflict of interest.

The motion is granted. The Division of Appellate Defense is hereby relieved as counsel and Stephen Geoly, who represented petitioner before the circuit court in this matter, is appointed to represent petitioner. The Division of Appellate Defense shall remain associated for the limited purpose of paying for any necessary transcript(s) and providing copies of the petition, appendix and briefs.


C.J.
FOR THE COURT

Columbia, South Carolina

September 5, 2013

cc: Stephen Geoly
Robert Michael Dudek
Ashleigh Rayanna Wilson