

RECEIVED

AUG 21 2013

Judicial Notice

Warren Russell Case NO. 2012-213313

S.C. SUPREME COURT

Effectively August 14 2013, I Warren Russell, has respectfully requested to relieve Counsel MS. Lavelle Durant and (SCCI) from the above mention case. Petitioner asserts that documentation from MS. Durant and SCCEI dated August 1st 2013, is in direct conflict of interest, with petitioner request action from MS. Durant and SCCEI. This documentation informs me that I will not be consulted with first, before any and all document are filed to the Supreme Court, that all of my issues will not be presented, and or that it is at her discretion to decide which ones to present; that she would not request a continuance for research and consultation. This document shows kind meekhouse issues can easily be overlooked, and procedurally barred in future proceedings. This is why we have a conflict of interest, and I am humbly requesting to proceed pro-se. I am making this decision knowingly and intelligently under my own free will. I have informed MS. Durant and SCCEI, along with this court of my wishes.

Further, I have requested that MS. Durant and SCCEI last official action on this case is as follows: 1) Send a copy of this document, along with a motion to be relieved as counsel to the Supreme Court atten: Stenoasis, 2) Forward Warren Russell any and all letter, documents, files, transcripts, briefs, and exhibits, ect in possession of MS. Durant and SCCEI.

Furthermore, because I will be proceeding pro-se, I am requesting that no further action be taken on this case until such time, that all information have been forwarded to MR. Warren Russell, and all documents regarding relieving counsel, and petitioner to proceed pro-se. Finally, I request that no action in this pending case proceed until the matter has been resolved and that no other motion can be accepted by this court from MS. Durant and SCCEI except to be relieved as Counsel as stated above.

P.S. Please Stamp date file and return copy.

Frank Van

Warren Russell

LCI 940 Wisterley Hwy

Bishopville, SC 29017

P.C. MS-L. Durant

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 a continuance, so that appointed counsel and this court can properly inform petitioner on his constitutional rights to waive counsel. The necessary steps involving parcelling 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 helpful appeal included in this appeal. This request this court and his appointed counsel Mrs. L. Stewart to consult with petitioner about his inquiry regarding intelligent by waiving counsel's representation.

As of the date of this Judicial Notice, petitioner has filed request to Appellant defense, of the case, 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. Starnise

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 upcoming appeal. I am concerned that because of the appointed counsel lack of response to my communication, that Mrs. 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 past PCR hearings, and the jury notes from the trial. I have send to Mrs. Durant a complete brief of these issues, with exhibits to support my findings of facts and conclusions of law. I have requested that Mrs. 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 Johnsonbrief and has abandon all other issues, leaving petitioner procedurally barred in Federal Court.

This because of Mrs. 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 Mrs. 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: Mrs. Durant

ADR. WAGNER RUSSELL # 316802

SMJ # 42

LCE 990 Wilsack, NY

Bishopville, SC 29010

South Carolina Supreme Court

Attn: Starnes, Honorable Clerk of Court

P.O. Box 11330

Columbia, SC 29211

LEGAL MAIL ONLY,

RECEIVED

AUG 15 2013

LEE CI MAIL ROOM