

Nathaniel A. Hunter, Petitioner

July 22, 2024

Ashley A. McMahan, Esquire  
Attorney for Petitioner  
Post office Box 50536  
Columbia, SC 29250

Re: Nathaniel A. Hunter #372378 v.  
State of South Carolina - 2023-001611

Dear Ms. McMahan:

Please find enclosed that everything that is included in this letter and the brief that is attached to it is to be put in the brief that you are raising in my Petition for Writ of Certiorari. I still do not give you informed consent to represent me due to the conflict of interest that arises from your inadequate and incompetent representation of me in my PCB proceedings. Please be advised that the issues that I am respectfully requesting you to raise in my Writ of Certiorari Appeal lists you as the reason why I was not granted relief in my PCB Proceedings. It's basically impossible for you to represent me now because you are not going to raise claims against yourself.

Rule 407 of the Rules of Professional Conduct Rule 1.7

Conflict of Interest: Current Clients (a) states a lawyer

shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if: (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer. The issues, the meritorious issues that I am requesting you to raise will limit your responsibility to represent me because ~~it~~ it creates a personal interest for you to not be held accountable for your inadequate and incompetent representation of me in my PCR proceedings. Also, the fact that I filed a complaint with the Office of Disciplinary Counsel against you gives me the right to assume that you will do the bare minimum and not raise the meritorious issues that I request you to raise in this brief. It is imperative that everything that I am sending you in this letter and brief is to be included in the brief that you are submitting to the Supreme Court in my Petition for Writ of Certiorari. The fact that I am being forced to go forward in these proceedings with you as my Counsel is a direct violation of my Fourteenth Amendment Right to Due Process.

Please be advised that ■ my family has spoken with Dr. Robert Bennett, the Touch-DNA expert that you claimed you consulted with. After speaking with Dr. Bennett it's my understanding that you gave me false information and lied about what Dr. Bennett told you. You told me that he could only testify to the same thing the state's expert testified to which resulted in me being denied relief in my PCB application. Dr. Bennett has informed my family that he is willing to do an affidavit on my behalf to explain what he would have testified to at trial and at the PCB hearing. I am now respectfully requesting that you obtain funds to hire Dr. Robert Bennett to write an affidavit to be submitted with the petition for writ of Certiorari in support of the following issues:

- Touch-DNA Expert - Affidavit from Dr. Robert Bennett
- Directed Verdict Issue - Affidavit from Dr. Robert Bennett
- Ownership of Nylon Cap - Affidavit from Dr. Robert Bennett
- Continuance Request Made Before Schmerber Hearing - Affidavit from Dr. Robert Bennett ←

Please note, I was expecting to be represented by another attorney and not you so I need you to take into complete consideration the viable claims and everything that I am respectfully requesting you to do which is only right. Everything that I am sending you has been copied and if I need to show the court's for proof of what I've sent you I will. In your letter to the Supreme Court you stated you had a heavy caseload, why do you want to represent me? You clearly don't have my best interest at heart, you've already proved that and the fact that there was a conflict of interest before I filed a complaint against you makes it impossible for you to represent me now. The Supreme Court of South Carolina erred by forcing me to go forward in my writ of Certiorari Appeal with you as my attorney. The issues that I am requesting you to raise in my writ of Certiorari Appeal are pursuant to Bray v. State 366 S.C. 137, 620 S.E.2d 743 (2005), Hill v. Lockhart 474 U.S. 52, 106 S.Ct. 366 (1985) and Gray v. Greer 778 F.2d 350 (1985). It will be impossible to perfect my appeal if you do not put everything that I am respectfully requesting you to in it. Before you submit the Initial Brief to the Supreme Court please send me a copy so I can assure that everything is how it should be. And please send it in a timely manner just in case it needs to be amended.

PLEASE DO NOT REWORD or add anything or take away anything from any of the issues like you did in my PCB application, and PLEASE DON'T send me a copy of the brief on the morning you plan to argue it either. I need a copy prior to that to assure it's right. I thank you for your time and patience, have a good day.

Sincerely,

Nathaniel A. Hunter

Nathaniel A. Hunter

Petitioner

P.S. Although the brief that I am sending you is in brief form, I am specifically asking that you include everything in it, but once you type it up it will be the same format that all your briefs are. I do not want you to actually submit the brief that I am sending you since that would be considered hybrid representation, I simply want you to include everything in the brief that I am sending you to put in the brief that you are submitting to the Supreme Court. Also, please include the fact that I have filed a Motion to Relieve you as my Counsel, please include that in the brief as well.