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November 12, 2024

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Catherine Harrison  
Deputy Clerk  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: The State v. David Lee Trevino  
Appellate Case No. 2024-001867

**RECEIVED**

**Nov 12 2024**

**SC Court of Appeals**

Dear Ms. Harrison:

Thank you for your letter dated November 5, 2024. I am happy to respond.

I am aware of the provisions of Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules. With candor to the tribunal, I am unable to give an explanation showing that there is an issue to which can be reviewed on appeal. Mr. Trevino instructed me to file a notice of appeal. I therefore believe it was my duty to do so.

Nevertheless, I am respectfully requesting that the appeal not be dismissed at this time. I was retained to represent Mr. Trevino throughout the proceedings below. He is now indigent as he is incarcerated in the department of corrections. I have already contacted the South Carolina Commission on Indigent Defense ("SCIDD") about taking over the appeal. SCIDD requested an Affidavit of Indigency and Application for Counsel signed by Mr. Trevino. I mailed such an affidavit to Mr. Trevino on November 6, 2024, but I have not yet received it back from him. I will follow up immediately. I respectfully request that the decision about the dismissal of the appeal be delayed at least until new counsel can be appointed and be allowed to give input. Thank you for your attention to this matter.

Respectfully,



Andrew Mackenzie  
South Carolina Bar #66293

cc: Alan McCrory Wilson, Esquire  
Mark Reynolds Farthing, Esquire  
Anthony Joseph McCollum, Esquire  
Meghan Alexandra Gasser, Esquire  
Robert Michael Dudek, Esquire  
W. Lawrence Brown, Esquire