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Oct 20 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of General Sessions

Roger M. Young, Sr., Circuit Court Judge

The State of South Carolina,

Respondent,

v.

Jody Lynn Ward,

Appellant.

Appellate Case No. 2025-001703

**Motion to Relieve Counsel and Petition for Extension of Time to Request
Transcript**

Appellant would respectfully request a 30-day extension to request a transcript in the above-referenced case. Additionally, Counsel Shaffer would respectfully request to be relieved as counsel on this case. In support of this motion, counsel would respectfully show the Court the following:

1. Counsel was initially retained in 2015. See Appellate Case Number 2021-000402 & 2021-00072.
2. In late 2020 Counsel agreed to assist Appellant on a Motion for Post-Conviction DNA testing and a subsequent PCR (2021CP2200344).

3. On July 15, 2023, Applicant filed a subsequent motion for a new trial based on after discovered evidence.
4. On May 1, 2025, a hearing was convened on the 2021 PCR; Application for Post-Conviction DNA testing; and 2023 Motion for a New Trial based on after discovered evidence. During this hearing, Appellant indicated that he wanted to discharge Counsel Shaffer.
5. The Honorable Roger Young, ruled that Appellant had 30 days to either work out his relationship with Counsel Shaffer or retain substitute counsel. If Appellant did not meet this deadline the Court indicated that Mr. Shaffer would be relieved and new counsel would be appointed. (See Exhibit A).
6. Prior to issuing an order relieving Counsel Shaffer and appointing substitute counsel, Judge Young ruled on the matters that are the subject of this appeal.
7. Judge Young then relieved Counsel Shaffer on the 2021 PCR which is still pending in the circuit court. (See Exhibit B).
8. On September 30, 2025, Counsel Shaffer spoke with Appellant via video conferencing concerning the appeal. Appellant confirmed that he wanted Counsel Shaffer relieved in this case. Appellant indicated that he intended to seek new counsel.
9. On October 7, 2025, Appellant filed a pro se motion asking that Counsel Shaffer be relieved and new counsel be appointed.¹

¹ Counsel Shaffer does not agree with all the allegations made by Appellant in his pro se motion.

10. Counsel Shaffer has not received a formal affidavit of indigency² from Appellant, but the circuit court has seen fit to appoint counsel to represent Appellant for the PCR. (See Exhibit B).
11. Appellant wishes Counsel Shaffer to be discharged and Counsel Shaffer wishes to be relieved.
12. Additionally, in order to provide Appellant or his substituted Counsel an opportunity to obtain the transcript, Appellant requests a 30-day extension requests the transcript in the above referenced case.
13. Counsel makes this request in good faith and not for the purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request an order to relieve Mr. Shaffer as counsel of record in this case. Additionally, Appellant requests a 30-day extension in which to request a transcript in this case. Counsel requests that the time limits for this appeal be held in abeyance pending a ruling on this motion.

s/ Tristan Shaffer

Tristan M. Shaffer (SC Bar 77565)
4701 Oleander Drive
Myrtle Beach, SC 29577
(843) 916-9300
tristan@gotaxelrod.com

Other Counsel of Record:
Melody Brown

² Over the last 10 years, Counsel and his prior employer were paid approximately \$8,500.00 for representation of Appellant. These funds came from Appellant and his family. Counsel Shaffer and Appellant have agreed that upon being relieved, Counsel Shaffer will provide a partial refund \$3000.00. This partial refund was requested by Appellant. Although Counsel Shaffer believes that any fee was earned over the past 10 years, Counsel Shaffer is willing to provide the partial refund to facilitate getting relieved. Counsel mentions this for the sake of candor with the Court. However, due to the fact that Appellant is serving a life sentence, this partial refund should not significantly impact the court's determination of whether he qualifies for appointed counsel.

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF GEORGETOWN
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2021CP2200344

Jody L Ward 300644		South Carolina State of	
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PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

FILED
 GEORGETOWN COUNTY, S.C.
 2025 MAY - 1 PM 1:05
 ALMA Y. THOMPSON
 CLERK OF COURT

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court

ORDER INFORMATION

The Plaintiff has 30 days to find a new private attorney or work out his relationship with Mr. Shaffer. If this does not happen, the Court will appoint new counsel on June 2, 2025.

This order ends does not end the case.
 Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge	2134 Judge Code	5/1/2025 Date
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For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on, to attorneys of record or to parties (when appearing pro se) as follows:

Tristan Michael Shaffer PO Box 1135 Irmo, SC 29063

Bryan TyJarris Hall PO Box 11549 Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter *Cynthia Weaver*

Cynthia E Kinder, Deputy
Alma Y. White - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

Exhibit B

STATE OF SOUTH CAROLINA)
 COUNTY OF GEORGETOWN)
 Jody L Ward 300644,)
 Plaintiff(s),)
 -vs-)
 South Carolina State of,)
 Defendant(s).)

IN THE COURT OF COMMON PLEAS
 15th JUDICIAL CIRCUIT
 CASE NO.: 2021CP2200344
 APPOINTMENT OF COUNSEL OR GAL
 (Select one.)

ORDER
 AMENDED ORDER

TYPE OF CASE/PROCEEDING: (Check one.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Post-Conviction Relief (PCR)/habeas case | <input type="checkbox"/> Adoption | <input type="checkbox"/> Juvenile |
| <input type="checkbox"/> SVP case | <input type="checkbox"/> Custody and/or Visitation | <input type="checkbox"/> Abuse and Neglect |
| <input type="checkbox"/> Minor Name Change | <input type="checkbox"/> Other: Post Convict Rel 500 | |

It appears Jody L Ward 300644, who is a litigant in this case, is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- counsel/guardian ad litem has not yet been appointed by the court; therefore, an appointment for counsel/guardian ad litem is necessary.
- counsel or a guardian ad litem was previously appointed by the court but has indicated either a possible conflict of interest, an entitlement to exemption, or other good cause warranting the appointment of new counsel or guardian ad litem based on:
- counsel was previously appointed by the court but has not indicated that the litigant has retained private counsel and is no longer entitled to appointed counsel.
- court appointed counsel has obtained , Esquire as substitute counsel pursuant to Rule 608(h)(2); provided, however, only the member who originally received the appointment and who sought substitute counsel shall receive credit.
- Other:

Therefore, it is ordered that Jasmin Waite Parker hereby is appointed as (Select one.)

- counsel lead counsel (if capital PCR case) guardian ad litem
- for the above-named person. Any counsel or GAL previously appointed is/are hereby relieved.
- (If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital PCR case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED
 August 27, 2025

Cynthia E Kinder, Deputy
 Circuit Judge Clerk of Court

FILED
 GEORGETOWN COUNTY, S.C.
 2025 AUG 27 AM 9:06
 ALMA Y. WHIT
 CLERK OF COURT

Plaintiff Attorney:

Jasmin Waites Parker	
900 N Fraser St	
Georgetown, SC 29440	

Defendant Attorney:

Bryan TyJarris Hall	
PO Box 11549	
Columbia, SC 29211	

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

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Appellant.

Appellate Case No. 2025-001703

CERTIFICATE OF SERVICE

The undersigned Counsel certifies that on October 20, 2025, the Motion to Relieve Counsel and Petition for Extension of Time to Request Transcript was served on the Respondent via email. Counsel also certifies that on October 20, 2025, a copy of the Motion to Relieve Counsel and Petition for Extension of Time to Request Transcript was sent to Appellant via U.S. Mail.

s/ Tristan Shaffer

Tristan M. Shaffer (SC Bar 77565)
4701 Oleander Drive
Myrtle Beach, SC 29577
(843) 916-9300
tristan@gotaxelrod.com

Other Counsel of Record:
Melody Brown