

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County
Court of General Sessions
Hon.R.Keith Kelly, Presiding

RECEIVED

DEC 15 2025

SC Court of Appeals

LONDELL LASHAUN ALSTON -- APPELLANT,

-Vs-

STATE OF SOUTH CAROLINA -- RESPONDENT,

Appellate Case No.2025-000197

APPELLANT'S MOTION TO RELIEVE
APPELLATE COUNSEL OF RECORD

COMES NOW, above captioned Appellant, Londell L. Alston, pro-se, respectfully moving this Honorable Court for an order relieving Appellate Counsel of Record and request appointment of new appellate counsel. In support of this request Appellant would show unto this Court the following:

(1). Appellant is an inmate housed in the South Carolina Department of Corrections pursuant to commitment orders of the York County Clerk of Court;

(2). This matter is presently before this Court pursuant to an appeal filed by Appellant;

(3). This Court appointed Wanda H. Carter (hereafter "Cater") of the South Carolina Office of Indigent Defense to represent

Appellant throughout the appeal process;

(4). Carter filed a no merit Anders brief and Appellant personally called Carter via a telephone call November 5, 2025 and at that time I had asked Carter "why she didn't raise the more meritorious issue of the traffic stop since the issue was preserved and per Appellant's conversation with Carter, Carter informed Appellant that she did not have the audio or the video from the traffic stop and she had not reviewed them prior to her preparing Appellant's appeal brief; Carter stated she would make sure the court has them;

(5). Appellant wholly objects to the antics of Carter. Appellant is entitled to a one and only direct appeal and with that right, Appellant enjoys the right to have the assistance of Appellate Counsel ... "effective assistance of appellate counsel as a matter of right. See Evitts supra;

(6). Appellant is serving a 40-year sentence and is entitled to fair bite at the apple, which clearly includes "direct appeal" as well;

(7). Carter simply does not want to put forth the time and efforts to afford Appellant a meaningful chance at prevailing on direct appeal;

(8). A stringent review of the no merit Anders brief will support Appellant's contention that Carter has not chose the best issue with the most likely chance to succeed on the appeal;

(9). Appellant respectfully asks this Court to relieve Carter from Appellate Counsel and Appellant respectfully asks this Court to appoint outside appellate counsel to adequately and realistically perfect the appeal;

(10). After the numerous phone conversations with Carter regarding her abandoning my best issue, it is obvious that Carter does not have Appellant's best interest at heart and the attorney client relationship has been terribly damaged beyond repair, in that the relationship suffers irreparable damage and there is definitely no trust.

DISCUSSION

The United States Supreme Court has found that the Due Process Clause protects the right to direct appeal. Due Process requires that a right to appeal be a right to an "adequate and effective appeal", which is more than a meaningless ritual. See Evitts v. Lucy, 469 U.S. at 393, 105 S.Ct. at 834 Id, quoting Griffin v. Illinois, 351 U.S. 12, 18 (1956) and Douglass v. California, 372 U.S. 353, 358, 83 S.Ct. 814 (1963).

Due Process further protects not only the right to obtain a favorable decision, but also the right to obtain a decision at all ... on the merits of the case. Evitts, supra 469 U.S. at 395 n.6, 105 S.Ct. at 835 n.6.

Therefore, in the interest of judicial economy, the Court's time and judicial docket and fundamental fairness, Appellant respectfully asks that Carter be relieved and new appellate counsel be appointed at the Court's earliest convenience.

CONCLUSION

Based on the above, Appellant respectfully prays this Court will relieve Carter as attorney of record and reappoint outside Appellate counsel to represent Appellant and provide him with the best chances of prevailing on direct appeal.

Respectfully Submitted,
/s/ 
Londell L. Alston

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has serve a true and correct copy of the enclosed Motion to Relieve Appellate Counsel, by placing the aforesaid in properly addressed, first-class postage affixed envelope and placed in the U.S. Mail this 9th day of December 2025.

Those Served:

S.C. Court of Appeals
P.O. Box 11629
Columbia, SC. 29211

Respectfully Submitted,

/s/ [Signature]

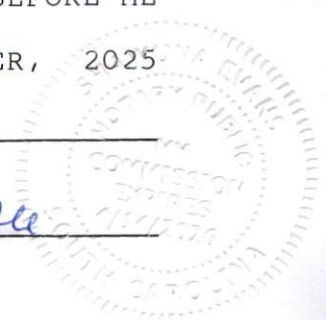
Londell L. Alston
Appellant, pro-se

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 9th DAY OF DECEMBER, 2025

[Signature]
NOTARY PUBLIC

MY COMM. EXPIRES 4/14/2026



Londell L. Alston #308837
Tyger River Corr. Inst.
200 Prison Rd.
Enoree, SC. 29335

TO: S.C. Court of Appeals
Clerk's Office
P.O. Box 11629
Columbia, SC. 29211

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RE: State v. Alston
Appellate Case No.2025-000197

Dear Clerk,

Enclosed for filing please find my pro-se Motion to Relieve Appellate Counsel of record.

In the event that I may need to serve any other parties, please contact me at the address above. Under the Anders procedure, I wasn't sure if all parties get served since it is a one-sided appeal.

I thank you for your time and consideration in this matter.

Respectfully I Am,

Londell L. Alston

Landell L. Alston #308837
Tyger River Correctional Institution
200 prison Rd, Enoree, SC, 29335



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