

Timothy J. McKinney
SCDC # 287844
Lieber Correctional Institution
136 Wilburn Avenue
Ridgewick, SC 29472

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JAN 13 2026

SC Court of Appeals

January 06, 2026

Honorable Stephanie P. McDonald
Judge of the Court of Appeals
S.C. Court of Appeals
1015 Sumter Street
Columbia, SC 29211

Re: The State v. Timothy J. McKinney
Appellate Case No. 2023-001693

Dear Judge McDonald:

WOULD YOU PLEASE ACCEPT THIS EX PARTE
COMMUNICATION. This letter correspondence is written for the sole purpose
to inform the Court that my previous attorney who were of the South Carolina
Commission on Indigent Defense has withdrawn and my case was conflicted to
Sir David Alexander who is operating under a conflict of interest representing
my defense.

Counsel of Record Mr. Alexander have not perform a duty owed to me, by Statute and common law. My case file was submitted to the Division of Appellate Defense since October 24, 2023, and not one Appellate Defender meet with me to discuss my case nor consult with me to gain my informed consent to permit representation, waiver of certain rights under the *Faretta v. California* principle, and the law upon advisement of the Standard of reviews in accordance to the legal claims he wishes to file to present to the appellate Court and the merits.

Would you please consider my constitutional rights when making a decision under your advisement to effectively safeguard my rights. Thank you Your Honor.

Yours truly,
Timothy McKinney
Timothy J. McKinney

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SC Court of Appeals

Timothy Joseph McKinney,
Appellant,

Appellate Case No. 2023-001693

v.

AFFIDAVIT OF
TIMOTHY J. MCKINNEY

The State of South Carolina,
Respondent.

COMES PERSONALLY BEFORE APPEARING PRO SE, One
Affiant who being duly sworn under oath depose and states:

- 1) I, Timothy McKinney, am competent to testify to the legal matters herein and below and above the age of 21.
- 2) I am of the belief that there exist a conflict of interest and Counsel of record Sir David Alexander is operating under a conflict when representing for my defense before this Court upon information and belief.
- 3) I have put Counsel of Record on notice of conflict and ask the Court to hear this matter promptly where this appeal is a matter of right and entitlement safeguarded under the United States Constitution.
- 4) I do not wish to proceed pro se, but I am asking for transparency for fairness and as justice so requires.

—THE AFFIANT FURTHER SAYETH NOT—

SWORN AND SUBSCRIBED BEFORE ME
on this 8th day of January, 2026.

David K. Swann (S.)
NOTARY OF PUBLIC.

My Commission Expires On: 6-20-26

1st Timothy McKinney

Timothy Joseph McKinney
SCD# 287844
Liber Corr Inst.
Post Office Box 205
Ridgeville, SC 29472

Certificate of Service

I, Timothy J. McKinney, do hereby, certify that on this 8 day of January 2026, served the foregoing instrument upon Honorable Stephen P. McDonald, by depositing a true copy of the same in the internal mailing system at Lieber Correctional Institution.

✓/ Timothy McKinney
Timothy J. McKinney

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SC Court of Appeals

Timothy J. McKinney # 287844
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136 Wilburn Avenue
Ridgewood, SC 29172

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SC Court of Appeals

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MAIL ROOM
LIEBER C.I.

Honorable Stephens P. McDewald
South Carolina Court of Appeals
1015 Sumner Street
Columbia, SC 29211

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