

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County

William P. Keesley, Circuit Court Judge  
\_\_\_\_\_

RECEIVED  
NOV 25 2013  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JAMES C. WILLIAMS,

APPELLANT

APPELLATE CASE NO. 2013-001849  
\_\_\_\_\_

MOTION FOR CLARIFICATION OF APPELLANT'S LEGAL REPRESENTATION  
\_\_\_\_\_

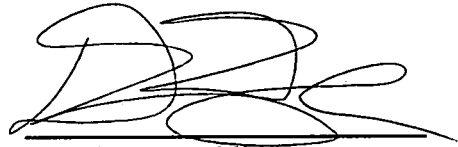
This motion is being made by David M. Mauldin, Assistant Public Defender of the Eleventh Judicial Circuit. The Appellant, Mr. Williams, was convicted of murder on March 21, 2002. The Honorable Judge Keesley appointed the 11<sup>th</sup> Circuit Public Defender's Office to represent Mr. Williams last year on a motion he filed pro se for a new trial based on after discovered evidence. This motion was filed after Mr. Williams' denial of direct appeal and post conviction relief cases.

At the hearing and in the written order that is the subject of this appeal, Judge Keesley relieved me as counsel for Mr. Williams except for the filing of the appeal. An appeal was filed. Mr. Daniel Shearhouse, Clerk of Court for the South Carolina Supreme Court, sent me a letter dated October 4, 2013, without a subsequent order from the Court, stating that I will have to continue to represent Mr. Williams on this matter. This contradicts the order of Judge Keesley.

DMH#1

Mr. Williams is serving a thirty year sentence in the Department of Corrections, is obviously indigent and qualifies for the service of Appellate Defense. Our office is not supplied with the resources to handle appellate cases. I am a public defender. In addition to Judge Keesley's order, Appellate Court Rule 602(e)(1)(3) provides that I am relieved. The order was based on and is captioned with the original General Sessions case number, 2000-GS-32-00689, and not a subsequent civil action. Therefore, either Appellate Defense must provide representation, Mr. Williams will have to proceed pro se, or he will have to hire counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DM Mauldin', written over a horizontal line.

David M. Mauldin  
Assistant Public Defender  
11<sup>th</sup> Judicial Circuit

This 21<sup>st</sup> day of November, 2013.

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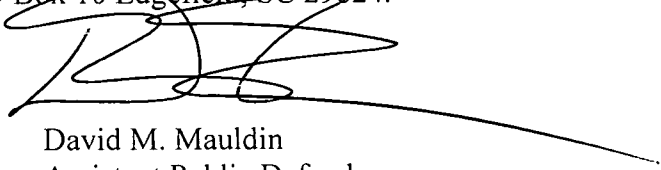
JAMES C. WILLIAMS,

APPELLANT

APPELLATE CASE NO. 2013-001849  
\_\_\_\_\_

CERTIFICATE OF SERVICE  
\_\_\_\_\_

I certify that I have served the Motion to Clarify Appellant's Legal Representation on Samuel R. Hubbard, Donald J. Zelinka, James C. Williams, Robert M. Dudek and the Honorable William P. Keesley by depositing a copy of it in the United States Mail, postage prepaid, on November 21, 2013, addressed to Samuel R. Hubbard III, 205 E. Main St. Lexington, SC 29072, Donald J. Zelinka PO Box 11549 Columbia, SC 29211-1549, James C. Williams #282929 Kershaw CI PB60 4848 Goldmine Rd. Kershaw, SC 29069, Robert M. Dudek PO Box 11433 Columbia, SC 29211 and The Honorable William P. Keesley PO Box 10 Edgefield, SC 29824.

  
David M. Mauldin  
Assistant Public Defender  
407 ½ West Main St.  
Lexington, SC 29072

# OFFICE OF THE PUBLIC DEFENDER

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**Eleventh Judicial Circuit**  
Lexington, Saluda, Edgefield,  
and McCormick Counties

**ROBERT M. MADSEN**  
Circuit Public Defender

W. GREG SEIGLER  
Tri-County Public Defender  
Post Office Box 1852  
McCormick, SC 29835  
Telephone (864) 852-9555  
Fax (864) 852-9554

November 21, 2013

The Honorable Jenny Allen Kitchings  
Clerk for the South Carolina Court of Appeals  
P.O. Box 11330  
Columbia, SC 29211

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NOV 25 2013  
SC COURT of Appeals

RE: State v. James C. Williams  
Appellate Case No. 2013-001849  
Lower Court Case No. 2000-GS-32-00689

Dear Ms. Kitchings

Please find enclosed an original and one (1) copy of a Motion to Clarify Appellant's Legal Representation in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this motion to Samuel R. Hubbard III of the 11<sup>th</sup> Circuit Solicitor's Office, Donald J. Zelinka of the South Carolina Attorney General's Office, James C. Williams at the Department of Corrections Robert Dudek of Appellate Defense and Circuit Court Judge William P. Keesley, together with my Certificate of Service.

Thank you for your assistance in this matter. With kind regards, I am

Sincerely,



David M. Mauldin

ENC

CC: Samuel R. Hubbard III  
205 E. Main St.  
Lexington, SC 29072

Donald J. Zelinka  
PO Box 11549  
Columbia, SC 29211-1549

James C. Williams #282929  
Kershaw CI PB60  
4848 Goldmine Rd.  
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