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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Wanda H. Carter, Chief Appellate Defender

February 11, 2026

The Honorable Jenny Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: State v. Jody Lynn Ward  
Appellate Case No. 2025-001703

Dear Ms. Kitchings:

The above titled case has been referred to our office for the purpose of perfecting the appeal on appellant's behalf. However, this case contains two separate appeals combined. The Notice of Appeal included requests for appellate review of two different Orders denying relief on two distinct actions filed by appellant, one of which was an Order Denying Appellant's Rule 29(b) SCRCrimP Motion signed by Judge Roger M. Young, Sr. on July 15, 2025, and another was an Order Denying Forensic DNA Testing also signed by Judge Young on July 15, 2025.

The Division of Appellate Defense rejects the appointment request for representation of appellant on the appeal from the Order denying the Rule 29(b) Motion because our office does not handle such appeals as they are considered discretionary and/or secondary appeals. An indigent client is entitled to appointed counsel as a matter of right on his or her first appeal only. Previously, appellant was represented on direct appeal by our office. See State v. Ward, Unpublished Opinion No. 2007-UP-048 (S.C. Ct. App. 2007). Additionally, our office does not have the resources necessary to handle discretionary/secondary appeals.

However, the Division of Appellate Defense accepts representation of appellant on the appeal of the Order Denying Forensic DNA Testing. The right to appellate review of an order granting or denying Forensic DNA Testing is expressly authorized by statute. See S.C. Code §17-28-90(G)(2014).

Therefore, appellant will receive the benefit of an appeal from our office regarding his Forensic DNA Testing case, but our office will not undertake representation on appellant's Rule 29(b) appeal.

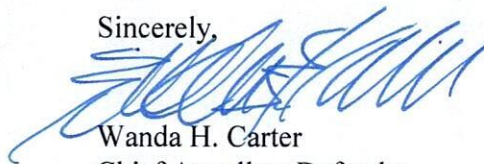
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SC Court of Appeals

By copy of this letter, I am notifying trial counsel Tristan Shaffer, Esq. that at this juncture appellant lacks appellate representation on his Rule 29(b) appeal unless alternate options are pursued in the matter.

Sincerely,



Wanda H. Carter  
Chief Appellate Defender

cc: Melody J. Brown, Esquire  
Jessica M. Saxon, Esquire  
Tristan Shaffer, Esquire