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Feb 12 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Georgetown County

Honorable Roger M. Young, Circuit Court Judge

JODY LYNN WARD,

APPELLANT,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-001703

PETITION FOR APPOINTMENT OF OUTSIDE COUNSEL

Pursuant to Rule 240, SCACR, the undersigned counsel would petition the Court for the appointment of outside counsel to perfect appellant's Rule 29(b), SCRCrimP appeal in the above tilted case. The following facts are submitted below in support of this petition.

- 1.) The case of Jody Lynn Ward v. The State contains two separate appeals.
- 2.) The Notice of Appeal filed in this case 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 7, 2025, and the other was an Order Denying Forensic DNA Testing also signed by Judge Young on July 7, 2025.

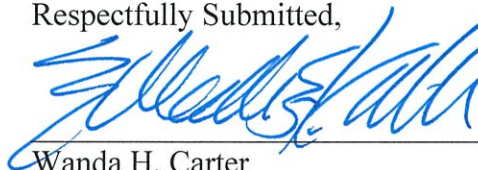
3.) The Division of Appellate Defense accepts appointment to represent petitioner on the appeal of the Order Denying Forensic DNA Testing, as the right to appellate review of an order granting or denying Forensic DNA Testing is expressly authorized by statute. *See* S.C. Code Ann. § 17-28-90 (G) (2014).

4.) However, the Division of Appellate Defense rejects appointment to represent appellant on his Rule 29(b), SCRCrimP appeal because our office does not handle discretionary and/or secondary appeals, as an indigent client is entitled to appointment of counsel for his or her first appeal only. *See* Ross v. Moffit, 417 U.S. 600 (1974); Pennsylvania v. Finley, 107 S.Ct. 1990 (1987); Douglas v. California, 372 U.S. 353 (1963); Wainwright v. Toma, 455 U.S. 586 (1982). 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 *See* State v. Ward, Unpublished Opinion No. 2007-UP-048 (S.C. Ct.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).

5.) Therefore, inasmuch as our office is unable to perfect the appeal of the denial of appellant's Rule 29(b), SCRCrimP Motion, the undersigned counsel would request the appointment of outside counsel to represent appellant in this case.

WHEREFORE, the undersigned counsel would petition this Court for the appointment of outside counsel on appellant's Rule SCRCrimP Motion appeal.

Respectfully Submitted,



Wanda H. Carter
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

This 12th day of February, 2026.

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Honorable Roger M. Young, Circuit Court Judge

JODY LYNN WARD,

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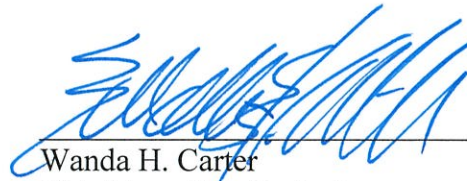
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-001703

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Petition for Appointment of Outside Counsel in the above-referenced case has been served upon Tristan M. Shaffer, Esquire, Jessica M. Saxon, Esquire, Melody J. Brown, Esquire, at the primary e-mail addresses listed in the Attorney Information System (AIS); and on Jody Lynn Ward, #300644, at Tyger River Correctional Institution, 200 Prison Road, Upper Yard, Enoree, SC 29335-9308, this 12th day of February, 2026.



Wanda H. Carter
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

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Warren, Kaylynn

SC Court of Appeals

From: Warren, Kaylynn
Sent: Thursday, February 12, 2026 11:24 AM
To: Melody Brown; Tristan Shaffer
Cc: Carter, Wanda; 'abennett@scag.gov'; Saxon, Jessica
Subject: 2025-001703 Jody Lynn Ward v. The State
Attachments: 2025-001703 Jody Lynn Ward v. The State Petition for Appointment of Outside Counsel.pdf

Good Morning,

Attached for service in the above-referenced case is a Petition for the Appointment of Outside Counsel for appellant's Rule 29(b) Appeal, which will be filed today, February 12, 2026, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330