

RECEIVED
Feb 17 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Greenville County

G. D. Morgan, Circuit Court Judge

JAMARCUS TYRONE GREGORY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2026-000046

MOTION TO BE RELIEVED AS TRIAL COUNSEL

Undersigned counsel respectfully moves this Court to relieve undersigned as trial counsel to represent petitioner JaMarcus Tyrone Gregory in his appeal from trial in Greenville, South Carolina.

1. During the week of June 9, 2025, in Greenville County, petitioner was tried for Inflicting Great Bodily Injury Upon a Child (2024-GS-23-03567). Petitioner's case was called to trial before the Honorable G. D. Morgan and a jury from June 9 thru June 11, 2025. Mr. Seth Redus Johnson was the Solicitor. The undersigned defended petitioner. Mr Gregory was absent.

2. Petitioner was found guilty on June 11, 2025, and Judge Morgan filed a sentence for Petitioner under seal. On July 11, 2025, Judge Morgan published the sentence.

3. Undersigned counsel timely and properly filed post-trial motions on July 18, 2025, pursuant to SCRCrimP Rule 29(a). After the State's responses to these motions, Judge Morgan drafted an order denying them. This order was filed, but not published or otherwise conveyed to trial counsel—that is, trial counsel did not receive written notice of entry of an order denying the motions. Pursuant to SCACR Rule 203(b)(2), a notice of appeal was timely and properly filed on December 30, 2025.

4. In between the trial verdict and the Court publishing the sentence, unbeknownst to undersigned counsel, Mr. Steve R. Cureton was appointed as additional counsel by the South Carolina Commission on Indigent Defense (“SCCID”) and entered a notice of appearance shortly thereafter. Undersigned was also initially appointed to represent Mr. Gregory by SCCID on the Rule 608 Contract program. Mr. Cureton remains listed as trial counsel. It was not until around December that undersigned became aware of Mr. Cureton's appointment, and he apprised Mr. Cureton of the posture of the case at that juncture.

5. Early during the pre-trial phase of this case, later during trial preparation, and upon request post-trial, the undersigned provided Petitioner with copies of discovery.

6. On January 5, 2026, (weeks after providing the final copies of discovery to Mr. Gregory), the undersigned began employment at the Thirteenth Circuit Solicitor's Office in Greenville, SC (“Solicitor's Office”). This is the same office that prosecuted Mr. Gregory at trial. Sensing an immediate and obvious conflict of interest, undersigned counsel has made a fine point to never discuss the merits of the case, the confidential communications made throughout his representation, or other sensitive information that is recorded or not recorded with other employees of the Solicitor's Office. The undersigned has further avoided all access to filings, work product, memoranda, discovery, electronically-stored information, or the like regarding Mr. Gregory's case

that is in the care, custody or control of the Solicitor's Office.

7. With the appearance and threat of conflict persisting during the pendency of Mr. Gregory's appeal while the undersigned is employed at the Solicitor's Office, it is the undersigned's position that relieving him as counsel is to extinguish these ethical and practical concerns that may jeopardize Petitioner's appeal.

8. Undersigned counsel leaves it to this Court's discretion whether this proposed course of action is proper. The undersigned has endeavored to prepare this motion before taking any additional actions or extensions in petitioner's case.

9. Undersigned counsel can provide the Court additional specificity, if desired by the Court, prior to the ruling on this motion.

WHEREFORE, undersigned counsel respectfully requests that this Court relieve him as counsel representing Petitioner in his appeal before this Court. Undersigned counsel also requests that this Court hold any outstanding timelines (including but not limited to obtaining and tendering trial transcripts) in abeyance pending a decision on this motion. If the motion to relieve counsel is granted, undersigned counsel will immediately turn over his file to any other counsel (trial or appellate) as deemed appropriate.

Respectfully submitted,



Robert Asher Watson, Esq.

Trial Counsel for Petitioner

This 16th day of February, 2026.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Certiorari to Greenville County

G. D. Morgan, Circuit Court Judge

RECEIVED

Feb 17 2026

SC Court of Appeals

JAMARCUS TYRONE GREGORY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2026-000046

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to be Relieved as Trial Counsel in the above-referenced case has been served upon Mrs. Cynthia Smith Crick, Esquire; Mr. Seth Redus Johnson, Esquire; Mrs. Wanda H. Carter, Esquire; Mr. Alan McCrory Wilson, Esquire; Mark Reynolds Farthing, Esquire; and Mr. Steve R. Cureton, Esquire, at the primary e-mail addresses listed in the Attorney Information System (AIS), this 16th day of February, 2026.



Robert Asher Watson, Esq.

TRIAL COUNSEL FOR PETITIONER