

a written order granting Appellant's motion to relieve trial counsel, Brett Perry.

A copy of the order is attached as Exhibit A.

The order specifically notes:

"Defendant's attorney represented defendant in prior trial where defendant was convicted. Public Defender is to appoint new attorney for defendant."

II. Relevance to Appeal

This newly entered order directly support Appellant's claim that the trial court erred in refusing to relieve trial counsel prior to trial, despite a demonstrated breakdown in the attorney-client relationship.

At trial, the court denied Appellant's motion to relieve counsel. However, the subsequent order entered by Honorable Benjamin Culbertson confirms that relief was warranted under substantially similar circumstances.

III. Legal Significance

The United States Constitution guarantees a criminal defendant the right to effective assistance of counsel, including representation free from conflict and breakdown in communication. See:

- United States v. Mullen, 32 F.3d 891, 895 (4th Cir. 1994)
- Morris v. Slappy, 461 U.S. 1, 13-14 (1983)

South Carolina courts likewise recognize that a trial court must adequately inquire into attorney-client conflict and grant relief where a substantial breakdown exists. See:

- State v. Jenkins, 420 S.C. 221, 801 S.E.2d 638 (Ct. App. 2017)

The March 26, 2026 order demonstrates that the breakdown in representation was real and substantial, and that the trial court's earlier refusal to relieve counsel constituted an abuse of discretion.

Notably, Appellant filed his motion to relieve trial counsel on June 2, 2025, more than six weeks

prior to the commencement of trial on July 14, 2025. Despite this, the trial court did not address the motion until the eve of trial, thereby limiting any meaningful opportunity to remedy the breakdown in the attorney-client relationship. This timeline demonstrates that the denial of the motion was not attributable to any delay or gamesmanship by Appellant, but rather to the court's own handling of the case.

IV. Impact on Appeal

Because the trial court has now granted the very relief it previously denied, this development substantiates Appellant's position that the original ruling was erroneous at the time it was made.

Accordingly, this court should consider this newly issued order as further support for vacating Appellant's conviction and sentence and remanding for a new trial.

V. Conclusion

WHEREFORE, Appellant respectfully requests that this court take judicial notice of the attached

Order and consider it in its review of the issues presented on appeal.

Respectfully submitted,

151 Ray Chestnut

Ray Edward Chestnut

Appellant, Pro Se

Kirkland Correctional Institution

4344 Broad River Road

Columbia, SC 29210

March 27, 2026

EXHIBIT - A

(Order Granting Motion to Relieve
Trial counsel dated March 26, 2026)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT(S):

State of South Carolina

Ray Chestnut
DEFENDANT(S)

This form order submitted by:

Attorney for : State Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE

- DECISION BY THE COURT AFTER HEARING.** This action came to a hearing before the court. The issues have been heard and a decision rendered. See below for additional information.
- DECISION BY THE COURT AFTER STATUS CONFERENCE.** This case came for a status conference before the court. The status of this case and pending issues in this case were discussed and a decision rendered. See below for additional information.
- MOTION: To Relieve Counsel**
 - GRANTED DENIED CONTINUED WITHDRAWN
 - WITHDRAWN BY MOVING PARTY: _____
Signature of Moving Party
 - OTHER:

FILED
HORRY COUNTY
2026 MAR 26 P 1:57
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY S.C.

IT IS ORDERED AND ADJUDGED: See Order of the Court below See attached order
 Formal Order to follow; to be prepared by: State Defendant Other:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: _____

Defendant's attorney represented defendant in prior trial where defendant was convicted.
Public Defender is to appoint new attorney for defendant.

Miriam T. Culbertson
Circuit Court Judge

2148
Judge Code

MARCH 26, 2026
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Notice of Supplemental Authority" has been served upon the parties addressed below by via U.S. mail with appropriate pre-paid postage on this 27th day of March, 2026.

Mark Reynolds Farthing, Assistant Attorney General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

W. Chandler Norville, Appellate Defender
South Carolina Commission on Indigent Defense
P.O. Box 11589
Columbia, SC 29211

151 Ray Chestnut
Ray Edward Chestnut

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

Hon. Michael Nettles and Eugene P. Warr, Jr., Circuit Court Judges

THE STATE, Respondent,
VS
RAY EDWARD CHESTNUT, Appellant.

Appellate Case No. 2025-001447

EMERGENCY MOTION TO EXPEDITE APPELLATE REVIEW

COMES NOW, the Appellant, Ray Edward Chestnut, pro se, and respectfully moves this Honorable court for expedited and immediate consideration of this appeal. In support, Appellant shows:

1. This case is fully briefed and currently in a posture of "ready for consideration."
2. Appellate counsel filed an Anders brief but expressly identified a substantial constitutional violation, stating:

" The trial court committed reversible error in failing

to relieve Brett Perry."

3. Counsel further acknowledged the existence of an actual conflict of interest:

"This places Appellant's interests squarely adverse to his own, creating a conflict of interest."

4. Counsel recognized that such error is structural in nature:

"A failure by the trial court to removal an actually conflicted attorney is per se reversible error."

5. Appellate counsel ultimately concluded:

"This Court should reverse Appellant's conviction and sentence and remand for a new trial."

6. On March 26, 2026, the Court of General Sessions granted Appellant's motion to relieve trial counsel, thereby confirming that a breakdown in the attorney-client relationship and conflict of interest existed.

7. This subsequent ruling directly corroborates Appellant's claim that the trial court's earlier refusal to relieve counsel was erroneous and resulted in a constitutionally defective proceeding.
8. Appellant remains incarcerated under a conviction that is now demonstrably unreliable and subject to reversal based on structural constitutional error.
9. Continued detention or incarceration under these circumstances constitutes immediate and irreparable harm, as Appellant is being deprived of his liberty pursuant to a conviction obtained in violation of his constitutional rights.
10. The issues presented are purely legal and record-based, requiring no further factual development, and are ripe for immediate resolution.
11. The interests of justice and fundamental fairness weigh heavily in favor of expedited review.

WHEREFORE, Appellant respectfully requests that this Honorable Court expedite consideration of this appeal and issue a prompt ruling.

Respectfully submitted,

151 Ray Chestnut

Ray Edward Chestnut, Pro se
Kirkland Correctional Institution
4344 Broad River Road
Columbia, SC 29210

March 27, 2026

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Emergency Motion to Expedite Appellate Review" has been served upon the parties addressed below by via United States mail with appropriate pre-paid postage on this 27th day of March, 2026.

Mark Reynolds Farthing, Assistant Attorney General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

W. Chandler Nowille, Appellate Defender
South Carolina Commission on Indigent Defense
P.O. Box 11589
Columbia, SC 29211

RECEIVED

MAR 31 2026

SC Court of Appeals

151 Ray Chestnut

Ray Edward Chestnut

COVER LETTER

Ray Edward Chestnut, #304094
Kirkland Correctional Institution
4344 Broad River Road
Columbia, SC 29210

March 27, 2026

RECEIVED

MAR 31 2026

SC Court of Appeals

Attn: Clerk of court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: state v. Ray Edward Chestnut
Appellate case No. 2025-001447

Dear Clerk of court:

Please accept for filing the enclosed documents in the above-referenced matter:

1. Notice of Supplemental Authority and Facts, with attached Exhibit A (Order Granting Motion to Relieve Trial Counsel dated March 26, 2026), and certificate of service; and

2. Emergency motion to Expedite Appellate Review,
with Certificate of Service,

These filings are submitted for inclusion in the
appellate record and for consideration by the Court.

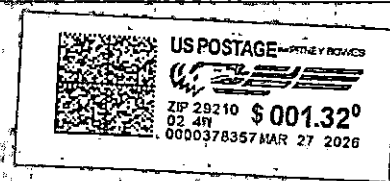
I respectfully request that a file-stamped copy of
these documents, along with an updated docket sheet,
be returned to me for my records.

Thank you for your time and assistance.

Respectfully submitted,

151 Ray Chestnut
Ray Edward Chestnut, Pro Se

Ray Edward Chestnut #304094
Kirkland Correctional Institution
4344 Broad River Road
Columbia, SC 29210



RECEIVED

MAR 31 2026

SC Court of Appeals

Attn: clerk of court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

* LEGAL MAIL *

