

STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Horry County
Honorable Benjamin H. Culbertson, Sr., Judge
Appellate Case No.: 2026-000901

The State

RECEIVED

Respondent,

MAY 01 2026

v.

SC Court of Appeals

In re Walter A. Worriax

Appellant.

MOTION FOR LEAVE TO
APPOINT APPELLATE COUNSEL

COMES NOW, Appellant Walter A. Worriax, moves before this Honorable Court respectfully asking the Court to grant motion for leave and appointment appellate counsel through the Office of the South Carolina Commission on Indigent Defense within the Division of Appellate Defense.

The Appellant has standing that he is entitled to counsel as a matter of right, under the Sixth Amendment, United States Constitution, and does not waive of the right of counsel while the Court consider this

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request to cautiously proceed according to the order by the South Carolina Supreme Court.

The Appellant asks the Court to take judicial notice that he moved before the South Carolina Supreme Court requesting to withdraw trial counsel representation due to a(n) existing conflict of interest that affected the outcome of his direct appeal within the initial review. And ask this Court, why appointment of counsel is needed because Appellant do not know how to obtain the relief he seeks nor know the appellate process or the procedure of what is required by law. The Appellant has his G.E.D., but is not schooled nor versed in the law.

WHEREFORE UPON, these above legal basis the Appellant ask for appointment of counsel to preserve his federal and State substantial merited claims upon presentation.

Done This — Day of April, 2026.

Respectfully Submitted,

W. Walter Worriax

Walker A. Worriax

SCDC # 304491

Leber Correctional Institution

POB # 205

Lidgeville, SC 29442

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EXHIBITS

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8

Walter A. Worriax
SEDE # 324491
Lieber Correctional Institution
Post Office Box 205
Ridgeville, SC 29472

April 28, 2026

Madem, Tammie Holmes
South Carolina Court Administration
Director's Office
220 Senate Street
Columbia, SC 29201

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MAY 01 2026

SC Court of Appeals

Re: The State v. Walter A. Worriax
2025-002542
Filing for Trial Transcript.

Dear Madem Holmes:

I am writing you for the sole purpose of obtaining one (1) full trial transcript with the full stenographer or Court Reporter notes for the filing of the record on appeal. Would you please assist me due to the fact that I am still indigent pro se litigant and my papers have not been reviewed with the Horry County Public Defender's Office nor within the South Carolina Supreme Court.

In accordance to South Carolina Statute § 28-49-753(f), fees for transcript furnished on appeal in forma pauperis shall be paid

Walter Worriax w.w.
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by the United States out of monies appropriated for those purposes.
I am asking for the Court Stenographer or Court reporter full
Stenographic notes of specific proceedings including the trial appearance,
judgment and sentence, Jury voir dire and pre-trial matters heard
on February 09, 2025, to February 14, 2025, in the Court of General
Sessions for the Fifteenth Judicial Circuit.

Would you please have the full Stenographic notes
transcribed in transcript format tailored to both parties presentation,
argument, evidence, and judge's ruling. The Honorable Benjamin W. Colbert,
Sr., presided over trial and sentencing, during the term of Court on the
first Monday in February for two (2) weeks.

Yours Truly,
Walter Waring
Walter Edward Waring

~~page 1 out of 2~~ W.W.

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The Supreme Court of South Carolina

The State, Respondent,

v.

Walter Atwood Worriax, Petitioner.

Appellate Case No. 2026-000901

ORDER

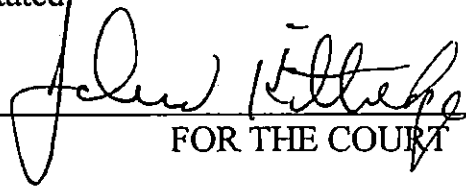
The court of appeals dismissed Petitioner's direct appeal from his murder conviction and sentence to life imprisonment on March 11, 2026, due to Petitioner's failure to order the transcript. After Petitioner's counsel failed to timely file a petition for rehearing or a motion to reinstate the appeal,¹ the Court of Appeals sent the remittitur on March 30, 2026. Petitioner has now filed a petition for a writ of certiorari, which is being construed as a request for relief under Rule 245 of the South Carolina Appellate Court Rules.

Based on the unique circumstances in this case,² the petition is granted, and the court of appeals is hereby directed to recall the remittitur and reinstate the appeal. As required by this Court's administrative order filed on December 12, 1997, Wilson is ordered to immediately provide the Division of Appellate Defense with the date or dates of Petitioner's trial, the county in which the trial was held, the name of the presiding judge, and the name of the court reporter. The Division of

¹ Petitioner filed a pro se petition for rehearing; however, the Court of Appeals declined to consider the petition because Petitioner was represented by counsel. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010). Counsel did not file a petition for rehearing after Petitioner's pro se petition was rejected.

² Ralph J. Wilson was appointed to represent Petitioner at trial, and Wilson served and filed Petitioner's notice of appeal. Apparently, there was a miscommunication between Wilson and the Division of Appellate Defense, and the transcript was not ordered before the appeal was dismissed and remitted.

Appellate Defense shall order the transcript from the court reporter within twenty days of the date the appeal is reinstated.



FOR THE COURT C.J.

Columbia, South Carolina
April 15, 2026

cc: Alan McCrory Wilson
Melody Jane Brown
Nancy R. Livesay
Ralph J. Wilson, Sr.
Wanda H. Carter
The Honorable Jenny A. Kitchings

Walter A. Worriax
Sese # 304491
Lieber Correctional Institution
Post Office Box
Ridgville, SC 29472

April 28, 2026

Clerk Jerry Abbott Kitchings
South Carolina Court of Appeals
The Office of The Clerk
Post Office Box 11629
Columbia, SC 29211

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MAY 01 2026

SC Court of Appeals

Re: The State v. Walter A. Worriax
Filing for Appointment of Counsel

Dear Madam Clerk:

ENCLOSED PLEASE WILL YOU FIND One (1) motion to
appoint counsel and proceed in a manner of a(n) pauper. Would you
or the clerk's staff file this motion within this Office and Court
to review and determine this request.

Your Truly,

1st Walter Worriax
Walter A. Worriax

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Walter A. D... # 304491
LRU-Max #215
Lieber Correctional Institution
Post Office Box 205
Ridgeville, SC 29472

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SC Court of Appeals

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APR 29 2026
MAIL ROOM
LIEBER C.I.

Clerk Tony W. Booth
South Carolina Court of Appeals
Office of the Clerk
Post Office Box 11629
Columbia, SC 29211