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S.C. SUPREME COURT



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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Wanda H. Carter, Chief Appellate Defender

May 13, 2026

Honorable Patricia A. Howard
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: Request for Appointment of Outside Counsel

David R. Walker v. The State
Appellate Case No. 2025-002100

Dear Ms. Howard,

On February 28, 2017, Mr. Walker was found guilty of murder per jury trial held at the Lexington County General Sessions Court before Judge McMahan, who sentenced him to fifty years imprisonment. Mr. Walker appeared at trial pro se. Subsequently, Mr. Walker was represented on appeal by Deputy Appellate Defender David Alexander. The case was affirmed on appeal. State v. Walker, 430 S.C. 411, 844 S.E.2d 405 (S.C. Ct. App. May 20, 2020).

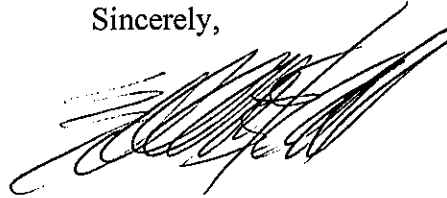
Mr. Walker filed a PCR application on May 21, 2021, and a PCR hearing was convened on October 12, 2022, at the Lexington County Courthouse before Judge George McFaddin, Junior. Deputy Appellate Defender David Alexander testified at the PCR hearing in response to Mr. Walker's allegations of ineffective assistance of appellate counsel. Allegations against trial counsel were addressed during the PCR hearing as well. Judge McFaddin signed an Order of Dismissal With Prejudice on September 12, 2025, which was subsequently filed with the Lexington County Office of the Clerk of Court. Mr. Walker filed a timely notice of appeal.

Initially, it appeared that Mr. Walker was listed pro se in the instant appeal and that Appellate Defense was associated for costs. However, in the event that Appellate Defense is listed as counsel of record on appeal, this letter is a request for the appointment of outside counsel in the case inasmuch as there is a conflict with our office since any office appellate attorney assigned to the appeal would be placed in the position of having to evaluate the effectiveness or ineffectiveness of another appellate attorney's work product. The office goal is to avoid any impropriety or the appearance of impropriety; and therefore, a case such as this would suggest dual representation and/or divided loyalties on appeal. Duncan v. State, 281 S.C.

435, 315 S.E.2d 809 (1984) citing to Cuyler v. Sullivan, 446 U.S. 335 (1980). See also SCACR, Rule 407.

As a result, this is a request for an Order for Appointment of Outside Counsel in the event Mr. Walker has abandoned his pro se status on appeal and requests representation from Appellate Defense. In the event Mr. Walker will appear pro se on appeal, then the issue is moot.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wanda H. Carter', written in a cursive style.

Wanda H. Carter
Chief Appellate Defender

WHC/sl

cc: D. Russell Barlow, II, Esquire