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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

The Honorable William H. Seals Jr.

Appellate Case No. 2026-001636

David Lee Walker,

Petitioner,

v.

State of South Carolina,

Respondent.

MOTION TO WITHDRAW AS COUNSEL

This matter is before the Court on the undersigned Counsel's Motion to Withdraw as Counsel in the above-captioned case.

On September 7, 2023, Counsel was retained to represent Petitioner Mr. David Lee Walker for post-conviction relief in the Laurens County Court of Common Pleas.

On July 13, 2026, the Honorable William H. Seals Jr. issued an Order Denying Petitioner's Application for Post-Conviction Relief. Petitioner filed a Motion to Alter or Amend Judgment pursuant to Rule 59(e), SCRCP, and the Court denied that motion via email on July 24, 2026. A formal Order denying the Motion to Alter or Amend Judgment was filed on August 18, 2026. To comply with the appropriate procedure, Counsel filed a Notice of Appeal with this Court to protect Petitioner's rights under the South Carolina Appellate Court Rules and applicable case law.

On August 5, 2026, Counsel received the Affidavit of Indigency from Petitioner and emailed a copy to Appellate Defense that same day.

On August 6, 2026, Counsel requested an extension to request the transcript pending a decision from the Office of Appellate Defense on Petitioner's affidavit.

On September 15, 2026, the Office of Appellate Defense informed Counsel they were taking over Petitioner's appeal and have ordered the transcript.

THEREFORE, Counsel respectfully moves to **withdraw as Counsel in the above-caption case.**

Respectfully Submitted,

s/ Dayne C. Phillips



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September 17, 2026