

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Lexington County

Frank R. Addy, Circuit Court Judge

JOSEPH WHITE,

PETITIONER,

V.

THE STATE OF SOUTH CAROLINA,

RESPONDENT.

Appellate Case No. 2013-001220

UNOPPOSED MOTION TO SUBSTITUTE APPOINTED COUNSEL

Counsel John E. Duncan respectfully requests that this Court relieve him as counsel for Petitioner in the above referenced appeal and appoint Tristan M. Shaffer as counsel of record for Petitioner. In support of this motion, counsel would respectfully show the Court the following:

1. By order dated November 20, 2013, this Court ordered that Mr. Duncan serve as counsel of record for Petitioner.
2. Mr. Duncan is an experienced trial lawyer, but has little experience with in appellate courts. Based on his lack of familiarity with appellate procedure, Mr. Duncan

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believes that Petitioner would be better served by an attorney with more experience with appellate practice.

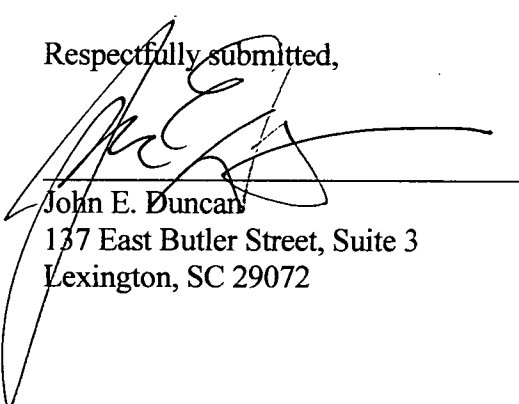
3. Mr. Duncan has spoken to Tristan Shaffer who has agreed to substitute as counsel of record for Petitioner pursuant to Rule 608, SCACR. Mr. Shaffer formerly worked for the Division of Appellate Defense and is more familiar with appellate procedure. Mr. Shaffer has authorized Mr. Duncan to indicate his consent to this appointment.

4. Counsel for the State, Walt Whitmire, has also authorized Mr. Duncan to indicate that he does not oppose this request.

5. This request is made in good faith, and not for purposes of delay.

WHEREFORE, Mr. Duncan respectfully requests that this Court relieve him as counsel for Petitioner and appoint Tristan Shaffer as counsel of record pursuant to Rule 608, SCACR. Counsel further requests that that all time limits concerning this case be held in abeyance pending a ruling on this motion.

Respectfully submitted,



John E. Duncan
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January 16, 2014

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