

# Tommy A. Thomas

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March 4, 2014

The South Carolina Supreme Court  
Daniel E. Shearouse, Clerk of Court  
P.O. Box 11330  
Columbia, SC 29211

RE: Aaron Smalls v. State of South Carolina  
Case No.: 2014-000217

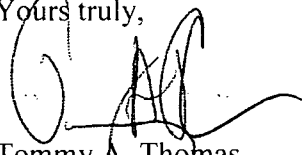
Dear Sir or Madam:

I am in receipt of your letter regarding the above referenced matter. Enclosed please find a copy of an Order from the Court dated November 21, 2013, granting Mr. Smalls Motion to have me relieved as Counsel. It is my position, that I no longer represent Mr. Smalls.

I have forwarded a copy of your letter dated March 3, 2014 as well as this response to Mr. Smalls for his information.

Please feel free to contact me should you have any further questions.

Yours truly,



Tommy A. Thomas,  
Attorney at Law

TAT/jem  
cc: Ashleigh Wilson, Esq.  
Aaron Smalls:  
Office of Appellate Defense

**RECEIVED**

MAR 13 2014

S.C. Supreme Court

County of  Charleston  Berkeley

Case # 2011-CP-10-9603

Aaron Smalls  
Applicant / Petitioner

vs.

ORDER

State of South Carolina,  
Respondent.

FILED  
2013 DEC -2 PM 12:08  
JULIE J. ARMSTRONG  
CLERK OF COURT  
BY \_\_\_\_\_

This post-conviction relief case came before the court for a hearing. Having now heard this matter, the court orders as indicated herein.

1. The application for post-conviction relief is hereby:  denied  granted  under advisement; a formal order will be filed (see below - No.6)

2. Motion(s) was/were heard in this case and the court orders:

The motion to dismiss and/or for summary judgment is hereby  granted  denied  under advisement based upon the  statute of limitations and/or  the successive nature of the application or  other reason as follows:

3. A conditional order of dismissal was previously filed in this case. Upon review of the matter, the court finds:

Good cause as to why the case should not be dismissed has been shown in response to the order of dismissal; therefore, a hearing on the merits of the application shall be scheduled.

The court has considered the response to the conditional order of dismissal and finds that good cause has not been shown or  no response has been filed to the conditional order of dismissal; therefore, the application is hereby dismissed.

4. The application was freely, voluntarily, and intelligently withdrawn as indicated on the record; therefore, this case is dismissed  with prejudice  without prejudice.

5. Other: Continued until the week of January 10, 2014. Judge McDonald shall retain jurisdiction of this case. Small's Motion to have his Counsel relieved is hereby granted and Smalls shall proceed

6. The court further orders: pro se in this matter.

The  Attorney General  Applicant's counsel is directed to submit to the court a proposed order and to serve the order on opposing counsel within  days.

Both sides are directed to submit proposed orders to the court and to serve the orders on each other within  days.

The court does not request proposed orders.

IT IS SO ORDERED.

Date: 11 / 21 / 2013  
Charleston, S.C.

[Signature]  
Presiding Judge 2103

Court Reporter Sharon Vizer

Attorney for Applicant Tommy Thomas

Attorney for Respondent Ashleigh Wilson

Tommy A. Thomas, P.C.

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