



## Lowcountry Law Office

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March 17, 2014

John Champaigne  
Inmate #: 266901  
Kirkland R&E  
4344 Broad River Road  
Columbia, SC 29201

RE: Appeal Issues

**RECEIVED**

MAR 20 2014

**SC Court of Appeals**

Dear Mr. Champaigne:

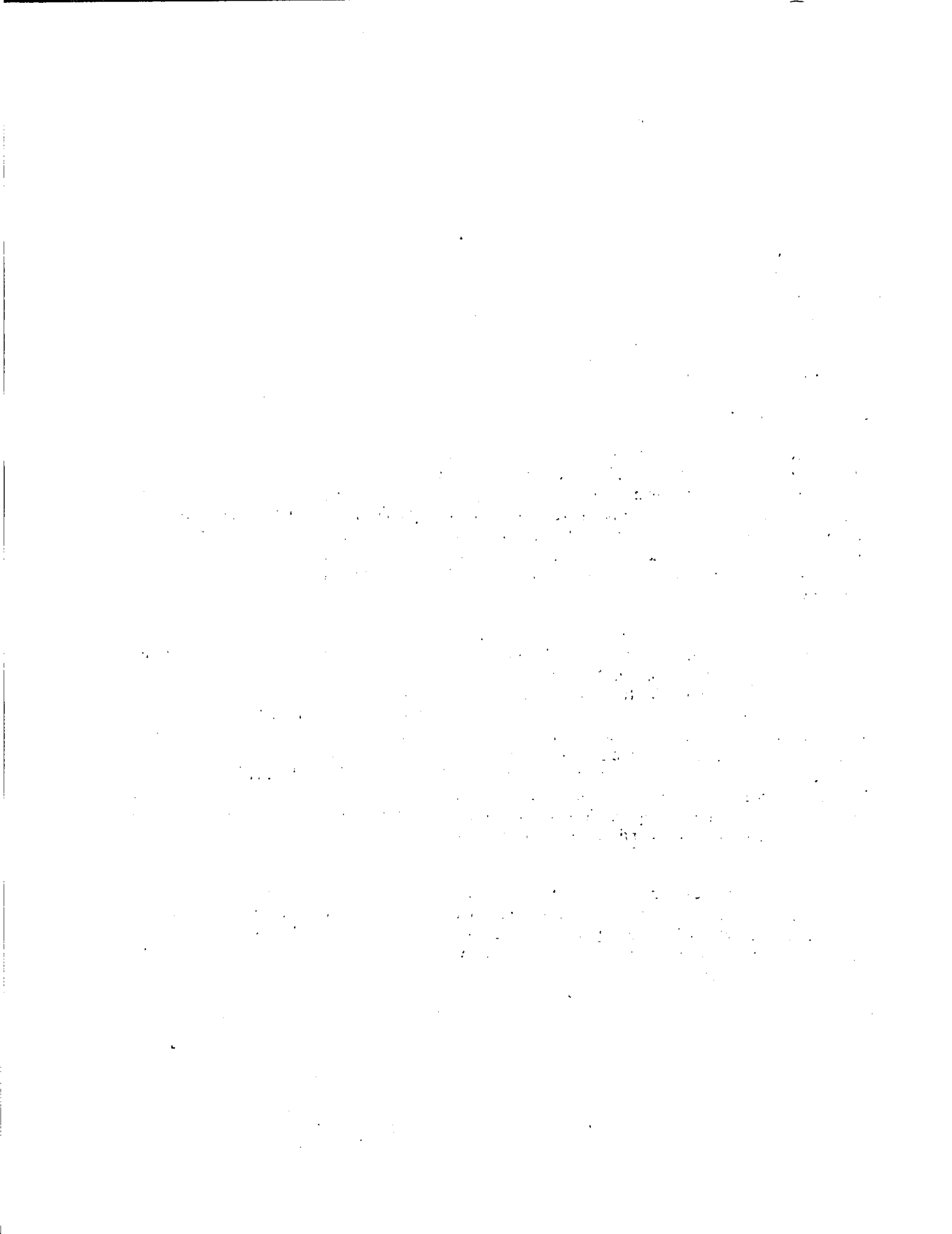
I received your letters about filing a Motion to Reconsider and about the grounds for your appeal. Also, I have a letter from the Court of Appeals that I am including with this letter to you. I have read your letters, but it is my legal opinion that there is no grounds for your appeal. However, since my representation has concluded, you may move forward despite my opinion. As you will see in the letter, you must notify the Court of your reasons for the appeal within twenty (20) days of my transmittal of this letter to you. The Court's address is contained in the attached letter. Also, you will note that I am required to send a copy of this letter to the Court as proof of transmittal to you (and to set the deadline for your reply).

Therefore, I do not want to breach attorney/ client privilege concerning the content of conversations we had. However, I want to address your request for a reconsideration of the sentence by Judge Young. There are two reasons that a Motion to Reconsider was not filed. First, we discussed this option following your guilty plea (under *Alford*) at the county jail and you agreed that it was unlikely that Judge Young would improve your sentence. Next, when I received your letter asking me to file a Motion to Reconsider and an appeal, the deadline had passed. I was not at all certain that the Court of Appeals would allow a filing under these circumstances. But I wanted to make the attempt on your behalf. I was able to show that court across the State was closed because of weather and that your filing deadline should be extended. Had I filed the Motion to Reconsider, I would have been forced to wait on the Judge's ruling on that Motion before filing an appeal. That action would have further delayed the filing of the appeal and further risked losing the appeal option. While I do not believe there are grounds for an appeal, I want to give you every option to be heard on the matter.

So, you need to explain your arguments to the Court of Appeals and deliver it within twenty (20) days of receiving this letter. I wish you the best on you appeal. But, as a reminder, if the appeal is not concluded to your satisfaction you may file a Post Conviction Relief action. Finally, as I indicated in my last letter, while my representation of you has ended, I wish you the best. If you have any additional questions, please let me know. God bless.

Sincerely,

Rodney D. Davis



cc: Jenny Abbott Kitchings  
Robert Dudek

enclosure

