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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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April 2, 2014

**RECEIVED**

APR - 2 2014

The Honorable Daniel E. Shearouse  
Clerk of Court, S.C. Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

**S.C. Supreme Court**

Re: Mark E. Brown v. State, Appellate Case No. 2013-001024

Dear Mr. Shearouse:

I filed a Johnson petition for a writ of certiorari in the above-captioned case with this Court yesterday, April 1, 2014. On page three of this certiorari petition I wrote, based on the information in the PCR transcript (App.157, ll. 13-20) that Petitioner Brown alleged a conflict with his appointed "appellate counsel". Petitioner Brown actually alleged a conflict of interest existed with his prior PCR trial level attorney because that attorney also represented Brown's wife on the same charge in another PCR action. Based on this conflict, Appellate Defender Kathrine Hudgins, who was appointed on the appeal for the first PCR hearing, successfully moved this Court to dismiss Petitioner Brown's appeal and remand his case for a decision on the conflict. This Court did remand Petitioner Brown's case and a second PCR hearing was granted by the lower court. That second PCR hearing is the subject of the present appeal.

I think this Court can take judicial notice of the above correction regarding the conflict being with prior PCR counsel because it has ruled on the conflict motion in the past. However, please contact me if any other corrective action is deemed desirable. I thank you for your assistance.

Sincerely,

LaNelle C. Durant  
Appellate Defender

LCD/mpm  
cc: Megan Harrigan, Esquire