



ORIGINAL

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Robert M. Dudek, Chief Appellate Defender  
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RECEIVED

MAY 02 2014

SC Court of Appeals

May 2, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: State v. Luther Norris, Appellate Case No. 2012-212431

Dear Ms. Kitchings:

Mr. Norris has decided to drop his appeal, as evidenced by the enclosed affidavit. I have reviewed with him the consequences of dropping the appeal. I am in agreement with his decision. Because he has been informed of the advantages and disadvantages of pursuing this appeal, I believe he has made his decision knowingly and voluntarily.

I respectfully request that an order be issued dismissing this appeal. By copy of this letter, I am informing Christina Catoe, Esquire of my client's decision.

Thank you for your assistance in this matter.

Sincerely,

Susan B. Hackett  
Appellate Defender

SBH/

Enclosure: drop affidavit

cc: Christina Catoe, Esquire (w/ enclosure)  
Luther Norris, #299691

STATE OF SOUTH CAROLINA )  
COUNTY OF SALUDA )

IN THE COURT OF APPEALS  
APPELLATE CASE NO. 2012-212431

THE STATE, )  
Respondent, )

v. )

**AFFIDAVIT**

LUTHER TOLLIE NORRIS )  
Appellant. )

\_\_\_\_\_ )

PERSONALLY appeared before me, Luther Tollie Norris, who being duly sworn, deposes and says:

1. I am the appellant in the above-captioned case. Susan B. Hackett is my lawyer for my appeal. She filed an initial brief of appellant on May 28, 2013 challenging the prior convictions that had been used to enhance my sentence to life. Thereafter, my case was remanded for a hearing on the issue raised. On December 5, 2013, I appeared before the Honorable Clifton Newman. The prosecutor conceded that the charge used to enhance my sentence was improper. Judge Newman vacated my life sentence and re-sentenced me to thirteen years; therefore, the issue is moot.
2. I understand that I am entitled to an appeal of my conviction. I understand I am entitled to the assistance of an attorney from the S.C. Office of Appellate Defense because I am indigent. I have been informed that if I drop my direct appeal that I forever waive those issues that could be raised.
3. Ms. Hackett has informed me that the issue in my brief is moot and that if I want to pursue my direct appeal, she will have to ask the Court of Appeals for permission to file an amended brief. She has further informed me that she has not found any issues of merit in my case.
4. In light of the risks which have been explained to me, it is my desire that the S.C. Office of Appellate Defense drop the appeal formerly filed on my behalf. I have made this decision on my own, with a full understanding of all the possible consequences of this action. I do not wish to appeal.

Luther T. Norris  
Luther Tollie Norris

SWORN TO before me this 24 day  
of March, 2014.

Susan H. Zipe (L.S.)  
Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_ My Commission Expires  
March 5, 2018

