

THE CLAXTON LAW FIRM  
708 Shakespeare Road  
Columbia, SC 29223  
803-400-1195 (P)  
803-675-0259 (F)

~~RECEIVED~~

~~JUL 11 2014~~

~~S.C. SUPREME COURT~~

July 10, 2014

Clerk of Court  
Supreme Court  
1231 Gervais Street  
Post Office Box 11330  
Columbia, SC 29211

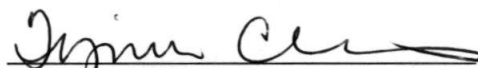
Re: John Julius Smith, # 00246646 v. State of South Carolina  
Appellate Case No. 2014-001366

RECEIVED  
JUL 14 2014  
SC Court of Appeals

Dear Sir/Madam:

Please find enclosed a Motion to Be Relieved and an affidavit of service for the same.  
Thank you for your help and if you should have any questions please feel free to call me.

THE CLAXTON LAW FIRM, L.L.C.

  
Tynika Claxton

Enclosure  
Cc: John Julius Smith

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Richland County

Robert E. Hood, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**  
JUL 14 2014  
SC Court of Appeals

JOHN J. SMITH,

PETITIONER,

V.

THE STATE OF SOUTH CAROLINA,

RESPONDENT.

\_\_\_\_\_  
Appellate Case No. 2014-001366  
\_\_\_\_\_

**MOTION TO BE RELIEVED AS COUNSEL**  
\_\_\_\_\_

Counsel Tynika Claxton respectfully requests that this Court relieve her as counsel for Petitioner in the above referenced appeal. In support of this motion, counsel would respectfully show the Court the following:

1. By order dated December 16, 2013, Richland County General Sessions Court ordered that Ms. Claxton serve as counsel of record for Petitioner in his Motion for New Trial. Ms. Claxton served in that capacity and that Motion was denied on June 16, 2014. Petitioner asked Ms. Claxton to file an appeal on his behalf and she did so for that reason, not because of any meritorious issues in the case. Ms. Claxton contacted Appellate

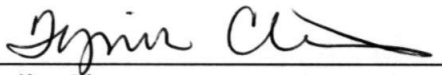
Defense to represent Mr. Smith further and was told that Appellate Defense did not handle this type of appeal.

2. Ms. Claxton is an experienced trial lawyer, but has very little experience with appellate courts. Based on her lack of familiarity with appellate procedure and only filing the appeal at the direction of Petitioner she would respectfully request that she be relieved.

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

WHEREFORE, Ms. Claxton respectfully requests that this Court relieve her as counsel for Petitioner. Counsel requests that that all time limits concerning this case be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
\_\_\_\_\_  
Tynika Claxton

July 10, 2014

**RECEIVED**  
JUL 14 2014  
SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT  
APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

HONORABLE ROBERT E. HOOD, CIRCUIT COURT JUDGE

Appellate Case No. 2014-001366

John Julius Smith, # 00246646,

APPELLANT,

vs.

State of South Carolina,


RESPONDENT.

**PROOF OF SERVICE**

I certify that I have served the Motion to Be Relieved as Counsel on the State of South Carolina by depositing copy of it in the United States Mail, postage prepaid, on July 10, 2014, addressed to their attorney of record, Daniel Goldberg, Richland County Judicial Center, P.O. Box 2766 Columbia, SC 29202-2766.

Dated: July 10, 2014

THE CLAXTON LAW FIRM, L.L.C.

  
\_\_\_\_\_  
Tynika Claxton  
Attorneys for the Appellant  
7008 Shakespeare Road  
Columbia, South Carolina 29016  
(803) 400-1195