The South Carolina Court of Appeals

The State, Respondent,

v.

Jarret Graddick, Appellant.

Appellate Case No. 2013-002665

RECEIVED
OCT 0 3 2014
SC Court of Appeals

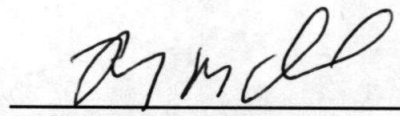
MOTION TO APPOINT COUNSEL

The South Carolina Commission on Indigent Defense, Division of Appellate Defense, represents Appellant in this appeal. Pursuant to the 2014 Appellate Practice Project, conducted with the approval of the Chief Justice, the Chief Judge of the Court of Appeals, and the South Carolina Bar, the Division of Appellate Defense moves to have Steven Buckingham appointed as lead counsel for Appellant. Chief Appellate Defender Robert M. Dudek will remain as co-counsel. The terms of participation in the Appellate Practice Project require that the appointment be made under the following conditions:

- The appointed attorney will serve pro-bono. No travel, research, printing or other costs will be reimbursed by the Commission without the prior written approval of Patton Adams, Hugh Ryan, III, or Robert M. Dudek.
- The appointed attorney will be responsible for preparing the briefs and Record on Appeal and delivering them to the Appellate Division for printing and filing no later than one week before the due date. The initial brief, any initial reply brief, the Record on Appeal, and the final briefs must be "file ready" when delivered to the Appellate Division for printing (this includes a complete table of authorities, certificate of service, and designation of matter to be included in the Record on Appeal. The Record on Appeal must also be numbered and redacted. The cover page of each brief and the Record on Appeal must contain the names, addresses and phone numbers of the Chief Appellate Defender, and the appointed attorney.
- The attorney assigned will be responsible for arguing the case before the South Carolina Court of Appeals.

- The appointment will remain in effect until any petition for rehearing is ruled upon by the Court of Appeals. Any decision to seek discretionary review from the Supreme Court should be made in conjunction with the Chief Appellate Defender. However, representation will remain on a pro bono basis.
- The appointed attorney must attend and participate in "Presenting Criminal Cases to the Court of Appeals," a CLE seminar presented by the South Carolina Bar on October 30, 2014, unless excused in advance by the Division of Appellate Defense. The appointed attorney agrees to have read the transcript prior to the CLE.
- The appointed attorney will receive one Rule 608, SCACR, credit for their pro bono representation for the year beginning July 1, 2014, and ending on June 30, 2015. The appointed attorney is responsible for presenting the appointment order to the applicable clerk of court.
- In the event of a post-conviction relief case alleging ineffective assistance of appellate counsel, at the request of the State or the applicant, the appointed attorney must make their files available as required by the rules of court, and attend any hearing scheduled to resolve the claim.

Respondent consents to this motion.



ROBERT DUDEK

Columbia, South Carolina

cc:
Salley W. Elliott, Esquire
Alan McCrory Wilson, Esquire
Lara Mary Caudy, Esquire
Steven Buckingham, Esquire