

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Roger M. Young, Circuit Court Judge

Case No. 2013A1010202458, 2013A1010202459

The State,

Respondent,

v.

Ricky Lamont Hayes,

Appellant.

RECEIVED

JAN 23 2015

SC Court of Appeals

MOTION TO WITHDRAW AS COUNSEL

COMES NOW counsel for the appellant, RICKY LAMONT HAYES, and hereby moves to withdraw as counsel pursuant to South Carolina Appellate Rule 264(b). In support of this motion, counsel states as follows:

1. Counsel was retained to represent Mr. Hayes in March 2014 on the above-captioned case. Shortly thereafter, counsel sent a contract letter to Mr. Hayes that stated his representation did not include any appeals that may arise out of this matter. This letter was signed by Mr. Hayes and returned to counsel in April 2014.

2. On January 15, 2015, Mr. Hayes was found guilty of the two above-referenced charges at a jury trial and was sentenced to 30 years imprisonment for each charge to be served concurrently.

3. At the direction of Mr. Hayes, counsel is filing a *Notice of Appeal* (mailing date January 21, 2015).

4. Counsel for the defendant seeks leave of this Court to withdraw as the defendant's legal counsel due to the fact that counsel was not retained to represent Mr. Hayes at the appellate stage.

5. Counsel is sending Appellant and Respondent's Attorney a copy of this motion and is enclosing Proof of Service herewith.

WHEREFORE, counsel hereby requests leave to withdraw as counsel for Mr. Hayes and for the Court to appoint substitute counsel in the appellate process.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard N. Buchanan", written over a horizontal line.

Attorney for Appellant

Richard N. Buchanan
1664-C Old Towne Road
Charleston, SC 29407
(843) 852-5255

January 21, 2015

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PROOF OF SERVICE

I certify that I have served the *Motion to Withdraw as Counsel* on the Appellant and Respondent by depositing a copy of it in the United States Mail, postage prepaid, on January 21, 2015, addressed as follows:

Attorney for Respondent

Alex Ziegler, Esq.
Ninth Circuit Solicitor's Office
101 Meeting Street
Charleston, South Carolina 29401

Appellant

Ricky Lamont Hayes, SCDC# 00306531
SCDC -- Kirkland Reception & Evaluation Center
4344 Broad River Road
Columbia, SC 29210

January 21, 2015



Attorney for Appellant

Richard N. Buchanan
1664-C Old Towne Road
Charleston, SC 29407
(843) 852-5255



1664-C Old Towne Road
Charleston, South Carolina 29407

January 21, 2015

Phone (843) 852-5255
Fax (843) 852-5275
rick@rbuchananlaw.com

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

RE: State v. Ricky Lamont Hayes
Case No. 2013A1010202458, 2013A1010202459

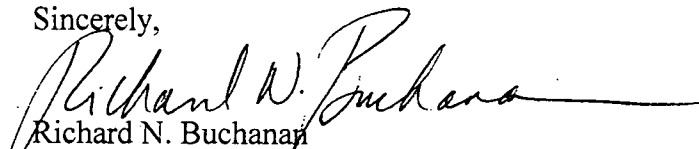
Dear Ms. Kitchings:

Enclosed for filing is a *Notice of Appeal* in the above case. Also enclosed are the following:

- (1) Proof of service of the *Notice of Appeal* on the respondent and a copy of the *Notice of Appeal* filed with the Charleston County Clerk of Court.
- (2) Copies of the two Judgment/Sentencing Sheets which are to be challenged on appeal.
- (3) A *Motion to Withdraw as Counsel* and Proof of service to the respondent and appellant.

As proof of filing for my records, please clock the enclosed copy of this letter and return to me in the provided self-addressed stamped envelope.

Sincerely,


Richard N. Buchanan
Attorney for Appellant

cc: Alex Ziegler, Esquire
Ninth Circuit Solicitor's Office
101 Meeting Street
Charleston, South Carolina 29401
(843) 958-1900
Attorney for Respondent

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South Carolina Commission of Appellate Defense (for notice of above item 3)