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Cody J. Groeber  
Berkeley County Public Defender

# Ninth Circuit Public Defender

*Berkeley & Charleston Counties*

D. Ashley Pennington, Circuit Defender  
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(843) 958-1850

*Charleston County*  
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101 Meeting Street, 5<sup>th</sup> Floor  
Charleston, SC 29401-2214  
(843) 958-1850  
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Lorelle D. Proctor  
Charleston County Public Defender

February 2, 2015

The Honorable Daniel E. Shearouse  
South Carolina Supreme Court Clerk  
Post Office Box 11330  
Columbia, South Carolina 29211-1330

RE: Jeremy Sweat, #326997 v. State of South Carolina; 2010-CP-14-0076  
Appellate Case No.: 2014-002624

Dear Mr. Shearouse:

This letter is in response to Attorney Tara Dawn Shurling's letter dated January 19, 2015 and enclosed. In that letter, Attorney Shurling set forth the fees collected in the representation of Mr. Jeremy Sweat and referenced his own Affidavit of Indigency. In the Affidavit, Mr. Sweat notes that a retainer of \$1,500.00 was paid and lists me as his Attorney. I would also clarify for the Court that I did not, personally, receive any funds from Mr. Sweat or his family. I believe that Mr. Sweat's Affidavit of Indigency is referencing one of the deposits made to the Law Firm of Tara Dawn Shurling during my employment and handling of the case. Please advise if there is any further information that I can provide.

Respectfully,



Christina Dixon Parnall  
Assistant Public Defender

CDP/rw

Enclosure

cc: Tara Dawn Shurling, Esquire (w/enclosure)  
Kimberly McCall, Legal Service Coordinate, Appellate Defense (w/enclosure)  
Jeremy Sweat, #326997 (without enclosure)

LAW OFFICE OF



**TARA DAWN SHURLING, PA**

Attorney and Counselor at Law

3614 Landmark Drive

Suite A

Columbia, South Carolina 29204

(803) 738-8622

(Fax) (803) 738-1600

E-Mail: [tdslaw@shurlinglaw.com](mailto:tdslaw@shurlinglaw.com)

January 19, 2015

**RECEIVED**

FEB 06 2015

**S.C. SUPREME COURT**

The Honorable Daniel E. Shearouse  
South Carolina Supreme Court Clerk  
Post Office Box 11330  
Columbia, South Carolina 29211-1330

Re: Jeremy Sweat, #326997 v. State of South Carolina; 2010-CP-14-0076  
Appellate Case No. : 2014-002624

Dear Mr. Shearouse:

On January 12, 2015, I wrote the Court and asked to be relieved as counsel in the above captioned appeal. At that time I noted that this client had not returned the affidavit of indigency I had sent to him. We have now received that affidavit back from the client. I enclose the original and have sent a copy to the Appellate Division of SCCID for their records. I would note one apparent error in this affidavit. I was originally hired in this case by this client's mother. She paid my retainer of \$5,000.00 and made a \$1,500.00 trust deposit for expenses to be billed against. Unfortunately, her check for her first payment on the balance of my fees was returned for insufficient funds. At that point, I agreed to have my then associate, Christina Dixon Parnall, represent this client for the amount of the retainer already paid to my firm. Ms. Parnall was on my payroll at the time. She completed this case and I subsequently filed the Notice of Appeal on the client's behalf since Ms. Parnall had left my firm and taken a position with the Charleston County Public Defender's Office.

I note that the enclosed affidavit indicates that the affiant paid Ms. Parnall \$1,500.00 in Attorney Fees in this matter. I have no knowledge concerning any payment made to Ms. Parnall in this case. By copy of this letter I am asking her to advise the Court if she received any attorney fees in this case directly from the client, or his family, before or after she left my firm. I do not believe that to be the case. It may be that Mr. Sweat is thinking about the \$1,500.00 trust deposit made to my firm by his mother, not by him.

The Honorable Daniel E. Shearouse  
January 19, 2015  
Page 2

If and when I am relieved as counsel for this appeal, I will return any funds remaining in trust which were not used on expenses to the client's mother since it was she who made the original trust deposit. Please advise me if there is anything further the Court requires from me in order to dispose of my request to be relieved as counsel in this matter. For now, as always, I remain,

Sincerely,



Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sm

Enclosure

cc: Christina Dixon Parnall, Assistant Public Defender (w/enclosure)  
Kimberly McCall, Legal Service Coordinate, Appellate Defense (w/enclosure)  
James Sweat, #326997 (w/out enclosure)  
Karen Corley (w/out enclosure)

**RECEIVED**

FEB 06 2015

**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA )  
COUNTY OF Clarendon )

AFFIDAVIT OF INDIGENCY

Case Name Jeremy Shay Sweat

Criminal Case No. 2010-CP-14-0076

Current Address: 4460 Broad River RD. Columbia, SC 29210

Are you incarcerated?  Yes (If "Yes") Where? Broad River C.I.  
 No

What were you convicted of? Sexual Misconduct of the first degree, and Kidnapping  
What was your sentence? 30 years

Are you appealing from  
 a trial,  a guilty plea  a post-conviction relief hearing?

In what county was this trial/hearing/guilty plea held? Sumter

Presiding Judge's name? Judge Young

Date of trial/guilty plea or post-conviction relief hearing \_\_\_\_\_

Were you represented by  
 a court-appointed attorney  public defender or  retained counsel?

Name of attorney/public defender? Christina Dixon Parnal

If retained, how much did you pay for attorney fees? \$ 1500.00

If you still owe money to your attorney, how much? \$ \_\_\_\_\_

.....

1. Are you presently employed? Yes \_\_\_\_\_ No

a. If "yes," state the amount of your salary or wages per month, and give the name and address of your employer. \_\_\_\_\_

b. If "no," state the name and address of last employment, date of termination of employment, and amount of your salary or wages per month. \_\_\_\_\_

2. List by name, age and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment?

Yes \_\_\_\_\_ No /

b. Rent payments, interest or dividends?

Yes \_\_\_\_\_ No /

c. Pensions, annuities or life insurance payments?

Yes \_\_\_\_\_ No /

d. Gifts or inheritance?

Yes \_\_\_\_\_ No /

e. Any other sources?

Yes \_\_\_\_\_ No /

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Do you own cash, or do you have any money in a checking or savings account?

Yes \_\_\_\_\_ No /

If the answer is "yes," state the total amount of the cash owned. \$ \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, notes or other valuable property (excluding ordinary household furnishings and clothing)? Yes \_\_\_\_\_ No /

If the answer is "yes," describe the property and state the appropriate value of the items owned. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. What kind of motor vehicle do you own? NONE

Is it paid for? Yes \_\_\_\_\_ No \_\_\_\_\_

If not, what are the monthly payments? \$ \_\_\_\_\_

7. How much do you owe (on liens, mortgages, other encumbrances or debts)? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I do solemnly swear that the account by me delivered into this Court does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I, or any person in trust for me, have or at the time of my possession had, or am, or was, in respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand that the State shall file a claim against me in an amount equal to the cost for representation, but that such claim shall not constitute a lien against my property, unless, the claim is reduced to judgment by the Order of the Court after giving me at least thirty days' notice.

Under penalty of perjury, I certify that the information give by me on this affidavit is true and correct, and I understand that I will be subject to civil and/or criminal penalties if I knowingly furnish false information.

I am financially unable to employ counsel.

This 15 day of Jan., 15.

JEREMY SWEAT SCDC 326997  
Defendant

I understand that I am entitled to at least thirty days' notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This 15 day of Jan., 15.

JEREMY SHAY SWEAT  
Defendant

SUBSCRIBED AND SWORN to before  
me this 15 day of January, 15.

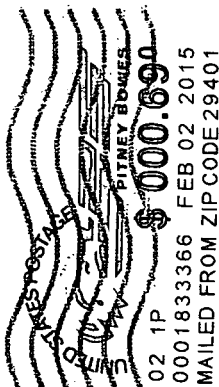
[Signature]  
NOTARY PUBLIC FOR SOUTH CAROLINA

My commission Expires: Nov. 24 2024

CHARLESTON COUNTY PUBLIC DEFENDER  
O.T. WALLACE COUNTY OFFICE BLDG.  
101 MEETING STREET, 5TH FLOOR  
CHARLESTON, SC 29401-2214

CHARLESTON SC 294

03 FEB 2015 P



The Honorable Dnaniel E. Shearouse  
South Carolina Supreme Court Clerk  
Post Office Box 11330  
Columbia, South Carolina 29211-1330

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