

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEE COUNTY
Court of General Sessions

Clifton Newman, Circuit Court Judge

Case No 2014-GS-31-050

RECEIVED

FEB 09 2015

SC Court of Appeals

The State Respondent,

v.

Dennis E Hoover ... Appellant

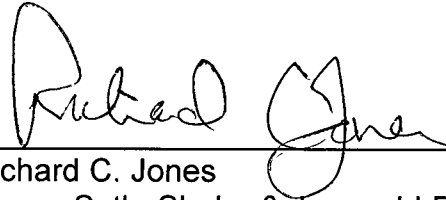
MOTION TO WITHDRAW AS COUNSEL FOR APPELLANT

Richard C. Jones, Esquire, attorney for Appellant, moves the Court, pursuant to Rule 264 of the South Carolina Appellate Court Rules, to withdraw as counsel for the Appellant, Dennis E Hoover, based on the following grounds

- 1 Richard C. Jones would show that he was not hired to represent the Appellant, a non-indigent, on appeal *Re Anonymous Member of the Bar (1991) 303 SC 306, 400 SE2d 483*. Attached hereto and incorporated herein by reference to make it a part and portion of the Petition is a copy of the signed Attorney/Client Agreement (Exhibit 1)
- 2 The Appellant, Dennis E Hoover, does consent to the Petition of Richard C Jones to withdraw as counsel as evidenced by the consent signed by Dennis E. Hoover, a copy of which is attached hereto and

incorporated herein by reference to make it a part and portion of this
Petition (Exhibit 2).

NOW THEREFORE, Richard C. Jones, Esquire does hereby request that
the Court issue its Order removing him as counsel of record for the Appellant,
Dennis E. Hoover.

A handwritten signature in black ink, appearing to read "Richard C. Jones", written over a horizontal line.

Richard C. Jones
Jones, Seth, Shuler & Jones, LLP
Post Office Box 1268
Sumter, South Carolina 29151
(803)773-8676
Attorney for Appellant
SC Bar No 3206

Other Counsel of Record

John Gentry, Esquire
Lee County Solicitor's Office
Post Office Box 309
Bishopville, SC 29010
(803) 484-5341
Attorney for Respondent

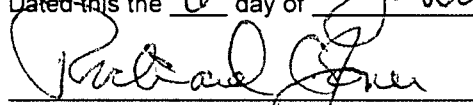
NOTICE:
SUBJECT TO RESOLUTION IN
ACCORDANCE WITH THE
RULES AND PROCEDURES
OF THE SOUTH CAROLINA
RESOLUTION OF FEE DISPUTES
BOARD SEQ

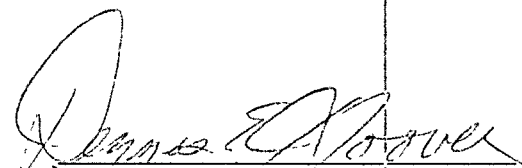
ATTORNEY/CLIENT AGREEMENT

I, Dennis Hoover, do hereby understand and agree with Jones, Seth, Shuler & Jones, LLP, hereinafter referred to as "my attorney" as follows

- 1 **SCOPE OF REPRESENTATION.** My attorney will represent me in the defense of the charge(s) of attempted murder (Warrant No 2014A3110200001 - statute §16-3-29) in consideration of my payment of a flat fee of \$ 25,000.00. I understand this flat fee and engagement retainer is earned by the attorney in consideration of his undertaking of my representation in this case, and these fees shall be immediately deposited in his operations account for his immediate and unfettered use because this fee is his and earned upon my payment. The foregoing provisions concerning my attorney's fees are subject to the reasonableness requirements of Rule 1.5 of the South Carolina Rules of Professional Conduct which require that all fees charged be fair to the client.
- 2 **ONE TRIAL/NO APPEAL.** I understand that this flat, non-refundable fee and engagement retainer shall cover all work up through and including one trial (jury sworn) of this case and that this agreement in no way binds or obligates my attorney or his firm to perfect and pursue an appeal of any interlocutory order, final order, ruling and/or verdict.
- 3 **PERSONNEL INVOLVED.** I understand that, in pursuit of my defense, my attorney may involve any of his partners, associates, legal staff, investigators and/or independent contractors, as he deems necessary.
- 4 **OUT-OF-POCKET COSTS.** Any costs incurred for expert witnesses, investigators and/or independent contractors necessary to defend the above charges are not included in the above fee and must be paid by me separate from and in addition to the above fee.
- 5 **ATTORNEY DISCRETION.** I understand that my attorney may pursue the defense of this case in his own style and in his own professional manner.
- 6 **TERMINATE REPRESENTATION.** I understand that should I not cooperate with, correspond with, communicate with my by my attorney, or abide by the advice given by him, he shall be allowed to withdraw as my lawyer. I agree to execute such documentation as is necessary to relieve him as my attorney. Likewise, I understand that I have the right to a refund of all or a portion of the fee if the agreed upon legal services are not provided. Further, I have a right to terminate the attorney-client relationship and discharge my attorney.

Dated this the 6th day of January, 2014


Jones, Seth, Shuler & Jones, LLP


Client

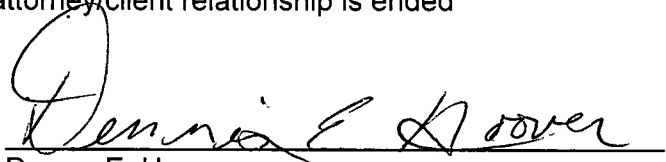
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RESOLUTION OF FEE DISPUTES
BOARD SEQ

1642501

TERMINATION OF ATTORNEY/CLIENT RELATIONSHIP Exhibit 2

I, Dennis E Hoover, do understand and agree as follows

- 1 A conviction and sentence were issued in my case on the charge of attempted murder (Case No 2014-GS-31-050) on January 22, 2015 Said sentence was imposed by the Honorable Clifton Newman
- 2 A Notice of Appeal was forwarded to the South Carolina Court of Appeals on January 26, 2015, by Richard C Jones, Esquire
- 3 I understand that under the terms of the Fee Agreement I signed on January 6, 2014, regarding representation of me by Richard C Jones, Esquire (paragraph 2), Mr Jones did not undertake to perfect an appeal to a higher court within the scope of his representation
- 4 Based upon this agreement, I understand and agree that Richard C Jones, Esquire is relieved as counsel for me, and the attorney/client relationship is ended


Dennis E Hoover

January 27, 2015

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEE COUNTY
Court of General Sessions

Clifton Newman, Circuit Court Judge

Case No 2014-GS-31-050

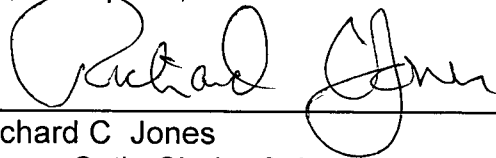
The State Respondent,

v

Dennis E Hoover Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to Withdraw as Counsel for Appellant on The State by depositing a copy of it in the United States Mail, postage prepaid, on February 5, 2015, addressed to its attorney, John Gentry, Esquire, Lee County Solicitor's Office, Post Office Box 309, Bishopville, SC 29010



Richard C Jones
Jones, Seth, Shuler & Jones, LLP
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Sumter, South Carolina 29151
(803)773-8676
Attorney for Appellant
SC Bar No 3206

Jones, Seth, Shuler & Jones, LLP

Richard Cogburn Jones
J Cabot Seth
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February 5, 2015

Jonny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P O Box 11629
Columbia, SC 29211

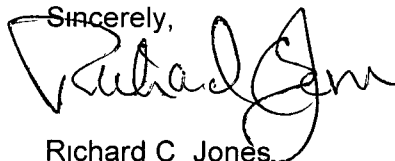
RE State vs Dennis E Hoover
Case No 2015-000175

Dear Mr Kitchings

Please find enclosed for filing in your office the original and seven copies of the Motion to Withdraw as Counsel for Appellant and Proof of Service in the above case Please return a clocked copy of this motion to our office in the self-addressed, stamped envelope provided

By a copy of this letter, I am serving a copy of this motion on other counsel of record

Should you have any questions or instructions, please feel free to contact me

Sincerely,


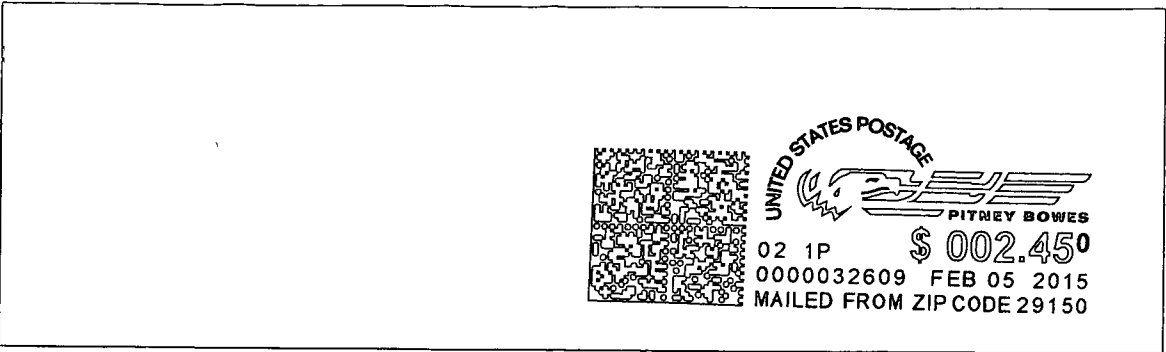
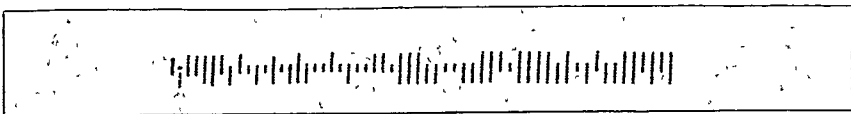
Richard C Jones
Attorney at Law


RCJ/mlb
Enclosure
cc John Gentry, Esquire (w/enclosure)
Dennis E Hoover

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FEB 09 2015

SC Court of Appeals



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Attorneys at Law
5 Law Range, PO Box 1268
Sumter, South Carolina 29151-1268

To:

Jonny Abbott Kitchings
 Clerk, South Carolina Court of Appeals
 P O Box 11629
 Columbia, SC 29211

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