

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P.O. Box 1130
Columbia, S.C. 29211

RECEIVED

FEB 19 2015

S.C. Supreme Court

RE: John J. Moore v. South Carolina - Appellate
Case NO. 2014-000786

Dear Mr. Shearouse,

I am the named Petitioner in the above referenced P.C.R. appeal. I filed a motion to Relieve Counsel, to withdraw the Petition for Writ of Certiorari submitted by Attorney Benjamin John Tripp, and to proceed Pro Se. Please approve this letter as a response to the State's return of the previously filed motion.

I respectfully maintain my position and request to relieve appellate counsel Tripp, to withdraw the Petition for Writ of Certiorari, and proceed Pro Se. My continual argument isn't whether or not I have a right to proceed Pro Se, but the following:
1) With Attorney Tripp on my case I am presented with a conflict of interest because of his employment with the same agency I filed a claim

of ineffective assistance of Appellate Counsel against, specifically, Joseph L. Savitz, III. 2) Attorney Tripp submitted the Petition for writ of Certiorari on my behalf without any of the proposed preserved issues I advocated to Attorney Tripp by way of rough draft of a writ I mailed to him. Appellate Counsel are entitled to make a reasonable choice not to raise every non-frivolous issue requested by appellant. See Jones v. Barnes, 103 S.Ct. 3308. Attorney Tripp failed to raise any preserved issue advocated to him, each briefed issue was unpreserved, therefore being wholly frivolous. Any mistake made in determining viable issues for briefing will not be afforded the opportunity to be resolved on post conviction due to per hearing being previously exhausted.

Attorney Tripp didn't ask this Court for the opportunity to fully brief this case, as the Attorney General stated in his response. Attorney Tripp's return to my motion clearly states that he does not oppose my motion to relieve him as counsel, (see pg. 1, #2, of appointed Counsel's Return to Petitioner's motion.) To fully understand the dangers, disadvantages, and other consequences of relieving counsel and proceeding pro se and therefore waive my right to counsel knowingly and voluntarily.

I respectfully ask that you grant my motion to relieve counsel, withdraw petition, and allow me to proceed Pro Se.

2/17/15

Sincerely
John J. Moore Jr.
John J. Moore Jr.

On the 17th day of February, 2015
Susan H. Ivey

My Commission Expires
March 5, 2018