

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Charleston County

Honorable Deadra L. Jefferson, Circuit Court Judge

FERRIS G. SINGLEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2014-002314

MOTION FOR APPOINTMENT
OF OUTSIDE COUNSEL

The undersigned respectfully shows the Court:

1. Petitioner Ferris Singley was convicted by a jury on May 1, 2006 of armed robbery and burglary first degree. He was sentenced to life without parole.
2. The Division of Appellate Defense of the South Carolina Commission of Indigent Defense (SCCID) handled Petitioner Singley's direct appeal. Chief Appellate Defender Joseph L. Savitz, III, first represented him. Upon Mr. Savitz's retirement, Chief Appellate Defender Robert Dudek then handled Petitioner's appeal with an oral argument before this Court.

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S.C. Supreme Court

3. This Court affirmed Petitioner's convictions and sentences on April 4, 2011. State v. Singley, 392 S.C. 270, 709 S.E.2d 603 (2011).
4. Petitioner filed an application for post-conviction relief (PCR) on June 10, 2011. In his application, he alleged ineffective assistance of appellate counsel on direct appeal. However, neither Mr. Dudek nor Mr. Savitz testified at the evidentiary hearing on June 16, 2014 before the Honorable Deadra L. Jefferson. Petitioner was represented by Rodney Davis, Esquire.
5. On September 25, 2014, Judge Jefferson issued an Order of Dismissal denying Petitioner's PCR and dismissing it with prejudice. Judge Jefferson made no finding in her order regarding appellate counsel. Petitioner filed an appeal.
5. The Division of Appellate Defense within SCCID was appointed to process Petitioner's appeal from the denial of his PCR. Appellate Defender LaNelle C. DuRant was assigned to perfect this appeal.
6. On today's date, March 19, 2015, Attorney DuRant received notice from Petitioner Singley that he believes that a conflict of interest exists with an attorney within SCCID handling his PCR appeal. He argues that an attorney within the same Appellate Defense Office that handled his direct appeal would be biased. He seeks the appointment of outside counsel.
7. Appellate counsel, on behalf of petitioner, requests that outside counsel be appointed, and leaves this decision to the sound discretion of this Court.

WHEREFORE, counsel requests this Court to appoint outside counsel for Petitioner's appeal from his PCR, and counsel leaves this decision to the sound discretion of this Court.

Respectfully submitted,


LaNelle Cantey DuRant
Appellate Defender

Attorney for Petitioner

This 19th day of March, 2015

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IN THE SUPREME COURT

Appeal from Charleston County

Honorable Deadra L. Jefferson, Circuit Court Judge

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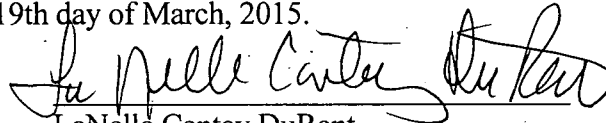
S.C. Supreme Court

STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

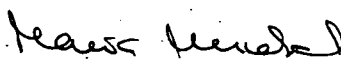
The undersigned attorney hereby certifies that a true copy of the Motion for Appointment of Outside Counsel in the above referenced case has been served upon opposing counsel, Ashleigh R Wilson, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and Mr. Ferris G. Singley, #211565 at Broad River Correctional Institution, 4460 Broad River Road, Columbia, SC 29210, this 19th day of March, 2015.



LaNelle Cantey DuRant
Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
this 19th day of March, 2015.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

March 19, 2015

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S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
PO Box 11330
Columbia, SC 29211

Re: Ferris G. Singley v. State of South Carolina

Dear Mr. Shearouse:

Enclosed are an original and six copies of the Motion for Appointment of Outside Counsel in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

LaNelle Cantey DuRant
Appellate Defender

LCD/mpm

Enclosure

cc: Ashleigh R Wilson, Esquire
Mr. Ferris G. Singley