

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

The Honorable G. Edward Welmaker, Circuit Court Judge

THE STATE,

RESPONDENT,

RECEIVED

APR 10 2015

SC Court of Appeals

v.

ERICK E. HEWINS,

APPELLANT

Appellate Case No. 2013-000224

MOTION TO BE RELIEVED AS COUNSEL

Undersigned counsel respectfully moves this Court to be relieved as counsel. In support of this motion, counsel shows the Court the following:

1. Jessica J. Lerer was appointed to represent appellant on September 19, 2013 as part of the Appellate Practice Project, with undersigned counsel remaining on the case as secondary counsel for Appellate Defense.
2. On December 27, 2013, the Initial Brief of Appellant was filed in the Court of Appeals by Lead Counsel Lerer.
3. The Initial Brief of Respondent was filed on April 16, 2014 in the Court of Appeals by Assistant Attorney General Mary W. Leddon.
4. On May 12, 2014, the Initial Reply Brief was filed in the Court of Appeals by Lead Counsel Lerer.

5. Following oral argument, on December 23, 2014, the Court of Appeals issued Opinion No. 2014-UP-478 affirming appellant's conviction.

6. A Petition for Rehearing was filed with the Court on January 6, 2015.

7. On February 24, 2015, the Court issued an order denying the petition for rehearing.

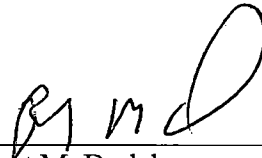
8. Counsel Lerer filed a Motion to be relieved as counsel on March 11, 2015.

9. On April 3, 2015, the Court issued an order granting the motion to be relieved.

10. Upon information and belief, appellant intends to file a pro se petition for writ of certiorari with the state Supreme Court. Undersigned counsel therefore moves to be relieved so that the pro se petition for writ of certiorari is not rejected by the Supreme Court because of the prohibition against hybrid representation.

WHEREFORE, undersigned counsel respectfully requests that this Court issue an order relieving him as counsel for appellant as expeditiously as possible.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Attorney for Appellant

This 10th day of April, 2015

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

The Honorable G. Edward Welmaker, Circuit Court Judge

THE STATE,

RESPONDENT,

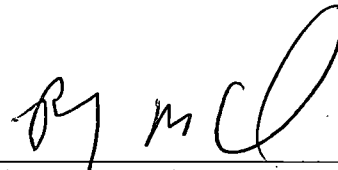
V.

ERICK E. HEWINS,

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CERTIFICATE OF SERVICE

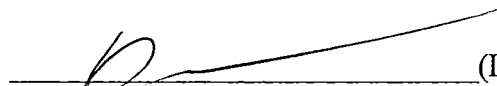
The undersigned attorney hereby certifies that a true copy of the Motion to be Relieved as Counsel in the above referenced case has been served upon opposing counsel, Mary W. Leddon, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201; and Erick E. Hewins, #297728, at McCormick Correctional Institution, 386 Redemption Way, McCormick, SC 29899, this 10th day of April, 2015.



Robert M. Dudek
Chief Appellate Defender

Attorney for Appellant

SUBSCRIBED AND SWORN TO before me
this 10th day of April, 2015.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: August 21, 2023.



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

April 10, 2015

RECEIVED

APR 10 2015

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29221

Re: State of South Carolina v. Erick E. Hewins
Appellate Case No. 2013-000224

Dear Ms. Kitchings:

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

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD/pcm

Enclosure

cc: Mary S. Leddon
Erick Hewins