

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

JUN 22 2015

Honorable J.C. Nicholson, Jr.

S.C. SUPREME COURT

Appellate Case No. 2015-001278

State of South Carolina.....Petitioner,

v.

Rakeem D. King.....Respondent.

RESPONDENT'S ATTORNEY'S MOTION TO BE RELIEVED

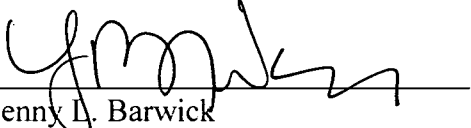
Now comes before the Court, Attorney Jenny L. Barwick, who moves to be relieved as counsel for Rakeem D. King in this matter. In support of this motion, the undersigned states as follows:

1. By The Honorable Chief Judge John C. Few's Order filed on September 19, 2013, on the motion of the Division of Appellate Defense, the undersigned was appointed a "co-counsel for the purpose of preparing the briefs and record and arguing the case before *this court* in accordance with the conditions set forth in the motion and the terms of the 2013 Appellate Practice Project . . .". See attached Order (emphasis added). Appellate Defense's Motion to Appoint Counsel states that "[t]he appointment will remain in effect until any petition for rehearing is ruled upon by the Court of Appeals. Any decision to seek discretionary review from the Supreme Court should be made in conjunction with the Chief Appellate Defender. However, representation will remain on a pro bono basis." See attached Motion to Appoint Counsel, pg. 2.

2. By Order filed on June 5, 2015, the Court of Appeals refused to grant Petitioner's and Respondent's petitions for rehearing.
3. As the Order appointing the undersigned states that the undersigned's appointment would only remain in effect until the petitions for rehearing were ruled upon, the undersigned notified Mr. Rakeem D. King in writing on May 4, 2015 that upon the Court of Appeals ruling on the petitions for rehearing, that undersigned's representation would end. In a follow up letter to Mr. King on June 10, 2015, undersigned notified Mr. King in writing that undersigned's representation has ended.
4. Mr. Robert M. Dudek, Chief Appellate Defender, agreed to continue on the above-captioned case as sole counsel and agreed to file Respondent's Petition for Writ of Certiorari and Respondent's Reply to Petitioner's Petition for Writ of Certiorari.
5. Opposing counsel, Ms. Deborah R.J. Shupe does not object to the undersigned's motion.
6. As the undersigned is a sole practitioner, continuing representation on this matter past what is required of her under the existing Order of Appointment would cause the undersigned an unnecessary strain on her practice.

For these reasons, the undersigned respectfully requests that this Court relieve her as counsel in this matter.

Respectfully Submitted,

  
\_\_\_\_\_  
Jenny L. Barwick  
650 E. Washington Street  
Greenville, SC 29601  
(864) 546-7601  
jenny@jennybarwicklaw.com  
SC Bar No.: 076128  
Attorney for Respondent

June \_\_\_\_, 2015

# The South Carolina Court of Appeals

The State, Respondent,

v.

Raheem D. King, Appellant.

Appellate Case No. 2012-213405


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## ORDER

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The motion of the Division of Appellate Defense to appoint Jenny L. Barwick as co-counsel for the purpose of preparing the briefs and record and arguing the case before this court in accordance with the conditions set forth in the motion and the terms of the 2013 Appellate Practice Project is granted.

The due date for Appellant's initial brief is December 2, 2013. That deadline will not be extended except under extraordinary circumstances.

  
FOR THE COURT

Columbia, South Carolina

cc:  
Robert Michael Dudek  
Salley W. Elliott  
Alan McCrory Wilson  
Jenny L. Barwick

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SEP 20 2013

SC OFFICE OF  
APPELLATE DEFENSE

FILED

9/19/13 AT

# The South Carolina Court of Appeals

The State, Respondent,

v.

Raheem D. King, Appellant.

Appellate Case No. 2012-213405

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## MOTION TO APPOINT COUNSEL

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The South Carolina Commission on Indigent Defense, Division of Appellate Defense, represents Appellant in this appeal. Pursuant to the 2013 Appellate Practice Project, conducted with the approval of the Chief Justice, the Chief Judge of the Court of Appeals, and the South Carolina Bar, the Division of Appellate Defense moves to have Jenny L. Barwick appointed as lead counsel for Appellant. Chief Appellate Defender Robert M. Dudek will remain as co-counsel. The terms of participation in the Appellate Practice Project require that the appointment be made under the following conditions:

- The appointed attorney will serve pro-bono. No travel, research, printing or other costs will be reimbursed by the Commission without the prior written approval of Patton Adams, Hugh Ryan, III, or Robert M. Dudek.
- The appointed attorney will be responsible for preparing the briefs and Record on Appeal and delivering them to the Appellate Division for printing and filing no later than one week before the due date. The initial brief, any initial reply brief, the Record on Appeal, and the final briefs must be "file ready" when delivered to the Appellate Division for printing (this includes a complete table of authorities, certificate of service, and designation of matter to be included in the Record on Appeal. The Record on Appeal must also be numbered). The cover page of each brief and the Record on Appeal must contain the names, addresses and phone numbers of the Chief Appellate Defender, and the appointed attorney.

- The attorney assigned will be responsible for arguing the case before the South Carolina Court of Appeals.
- The appointment will remain in effect until any petition for rehearing is ruled upon by the Court of Appeals. Any decision to seek discretionary review from the Supreme Court should be made in conjunction with the Chief Appellate Defender. However, representation will remain on a pro bono basis.
- The appointed attorney must attend and participate in "Presenting Criminal Cases to the Court of Appeals," a CLE seminar presented by the South Carolina Bar on October 24, 2013, unless excused in advance by the Division of Appellate Defense.
- The appointed attorney will receive one Rule 608, SCACR, credit for their pro bono representation for the year beginning July 1, 2013, and ending on June 30, 2014. The appointed attorney is responsible for presenting the appointment order to the applicable clerk of court.
- In the event of a post-conviction relief case alleging ineffective assistance of appellate counsel, at the request of the State or the applicant, the appointed attorney must make their files available as required by the rules of court, and attend any hearing scheduled to resolve the claim.

Respondent consents to this motion.

  
\_\_\_\_\_  
ROBERT DUDEK

Columbia, South Carolina

cc:

Salley W. Elliott  
Alan McCrory Wilson  
Carmen Vaughn Ganjehsani  
Jenny L. Barwick

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**S.C. SUPREME COURT**

Appellate Case No. 2015-001278

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**CERTIFICATE OF SERVICE**

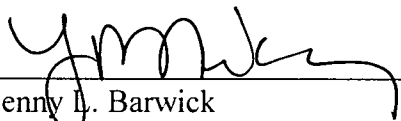
I, Jenny L. Barwick, did cause Respondent's Attorney's Motion to be Relieved dated June 18, 2015, to be served upon the addressees by sending the same by U.S. Mail, as shown below, postage prepaid, on the 18<sup>th</sup> day of June, 2015:

The Honorable Daniel E. Shearouse  
Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211  
(original and 6 copies)

S.C. Office of Attorney General  
Attn: Deborah Shupe  
Post Office Box 11549  
Columbia, SC 29211  
(copy)

South Carolina Commission on Indigent Defense  
Appellate Division  
Attn: Robert M. Dudek  
PO Box 11589  
Columbia, SC 29201  
(copy)

Lieber Correctional Institution  
Raheem King, 353110  
PO Box 205  
Room AB57  
Ridgeville, SC 29472  
(copy)

  
\_\_\_\_\_  
Jenny L. Barwick  
650 E. Washington Street  
Greenville, SC 29601  
(864) 546-7601  
jenny@jennybarwicklaw.com  
SC Bar No.: 076128

Attorney for Respondent

This 17th day of June, 2015  
Greenville, South Carolina