

The Supreme Court of South Carolina

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CLERK OF COURT

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July 30, 2015

Ms. Laura McCall Saunders, Esquire
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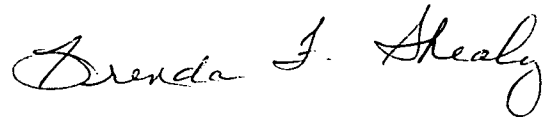
Re: Michael Gray v. State
Appellate Case No. 2015-001605

Dear Counsel:

Pursuant to Rule 243, SCACR, appellate review of a final decision in a post-conviction relief matter is initiated by the filing of a notice of appeal. Moreover, the explanation required by Rule 243(c), SCACR, is only appropriate when the PCR application was denied and dismissed as successive or as untimely under the statute of limitations, which is not the case in this matter. We have construed the document you have served and filed on petitioner's behalf, entitled Petition for Writ of Certiorari in Post Conviction Relief Action, as a notice of appeal. However, contrary to your letter in which you indicate that you have advised petitioner he may make contact with Appellate Defense in order to obtain representation, you remain counsel of record for petitioner unless automatically relieved under Rule 602, SCACR, or allowed to withdraw under Rule 264, SCACR. Rule 71.1(g), SCRCP. Moreover, you must assist petitioner in obtaining representation by the Division of Appellate Defense of the Office of Indigent Defense. *Id.* It is not clear from the documents you have submitted to this Court if you were appointed or retained, which will determine whether you are automatically relieved as counsel in this matter. Rule 602(e), SCACR. Accordingly, until such time as you have provided the information

necessary to make that determination, and if petitioner is indigent, assist him in obtaining representation by Appellate Defense, you will continue to be counsel of record in this matter and must comply with the requirements of Rule 243, SCACR, including ordering the transcript, and perfecting this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Brenda J. Shealy". The signature is written in black ink and is centered on the page.

CHIEF DEPUTY CLERK

cc: Justin James Hunter, Esquire
Michael Gray #313935
SC Division of Appellate Defense