

The Supreme Court of South Carolina

Raymond E. Chestnut, Petitioner,

v.

State of South Carolina, Respondent.

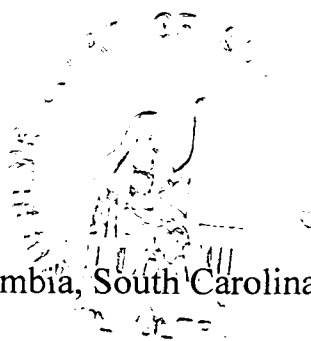
Appellate Case No. 2015-000891

Lower Court Case No. 2012-CP-26-01814

ORDER

Petitioner has filed a request to relieve Tristan Michael Shaffer as counsel in this matter and appoint new counsel. We decline to appoint new counsel when petitioner is represented by counsel who simply refuses to comply with the South Carolina Appellate Court Rules and instructions of the Clerk of this Court.

Shaffer shall, within five (5) days of the date of this order, serve and file the explanations required by Rule 203(a)(1)(B)(iv), SCACR, for each guilty plea of which petitioner claims he is entitled to belated appellate review. If Shaffer determines he does not have good faith explanations, he shall provide the Court with a letter stating that, as an officer of the Court, he is unable to set forth any arguable basis supporting an issue that can be reviewed on appeal for any of the guilty pleas. Shaffer shall also advise petitioner, by copy of the letter, that he should provide the Court, no later than twenty (20) days from the date of the letter, with an explanation showing why the post-conviction relief judge's determination that the action was barred by the statute of limitations was improper, pursuant to Rule 243(c), SCACR, and/or an explanation showing there is an issue which can be reviewed on appeal, pursuant to Rule 203(a)(1)(B)(iv), SCACR. In the event the explanations provided by Shaffer or petitioner are found to be sufficient to allow the appeals to proceed, Shaffer shall assist petitioner in obtaining representation by the Division of Appellate Defense. *See Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006).



Columbia, South Carolina

July 31, 2015

cc:

- Tristan Michael Shaffer, Esquire
- Joshua L. Thomas, Esquire
- Raymond Edward Chestnut


C.J.
FOR THE COURT