

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUL 27 2015

SC Court of Appeals

Appeal from Horry County
Lower Court Case No. 2003-GS-26-3312

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

VS.

RAYMOND CHESTNUT,

APPELLANT.

MOTION FOR APPOINTMENT OF COUNSEL

The Appellant, Raymond Chestnut, hereby moves this Honorable Court respectfully asking for appointment of counsel to assist him in fairly and adequately presenting his claims on appeal. In support of this Request, appellant states:

- Appellant is indigent and unable to obtain counsel on his own.
- Appellant's claims that he wish to raise is too complex and convoluted for appellant to adequately present to the court pro se.

- Appellant is currently ON 24 hour lock-down at his present institution and do not have access to an adequate law library.
- Appellant only has a fifth grade education and cannot read or write with full understanding.

ARGUMENT

Appellant understands that he has no constitutional nor statutory right to appointment of counsel when seeking discretionary review. Although appellant has no right to appointment of counsel in these proceedings, this Honorable court does have broad discretionary powers to appoint counsel.

The appointment of counsel for indigent individuals should be made when circumstances indicate the likelihood of substantial prejudice to him, resulting from his probable inability, without such assistance, to present the facts and legal issue to the court, for a meritorious case.

Legal Research, Reading and Writing

involves special words and phrases as well as legal meaning to common words and phrases.

Many legal arguments have complex and abstract components. Keeping track of these technical meanings require effort.

The over-whelming complexity of the law and the difficulty appellant faces mounting effective responses to highly trained attorneys, in contrast to, respondents lawyers having spent years perfecting their legal research, writing skills and having the benefit of unlimited access to well stocked libraries, expensive computers and paid paralegals to help them, all dictate the necessity of appointment of counsel for appellant. Not only that but appellant has difficulty reading and writing due to his fifth grade education, and currently needs reading glasses which he has yet to receive.

Under appellant's present conditions, he will be unable to adequately prepare and present comprehensible arguments to the court, and respond to respondents pleadings, all within the limited time constraints of the court.

Ultimately, counsel on both sides will more likely give appellant a fair attempt to place his claims and argument to the court for review, whereas, appellant will suffer tremendous prejudice if he is forced to litigate his claim without the aid of a trained professional.

CONCLUSION

WHEREFORE, in the interest of justice, fairness and finally, for the foregoing reasons, and any others that may be apparent to the court, appellant respectfully request this Honorable court, under its broad discretionary powers, appoint him counsel to present his claims to this court.

July 23, 2015

Respectfully Submitted,



Raymond Chestnut

13465-171

United States Penitentiary

P.O. Box 1000

Lewisburg, PA 17837

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Lower Court Case No. 2003-GS-26-3312

THE STATE OF SOUTH CAROLINA , RESPONDENT,

VS.

RAYMOND CHESTNUT, APPELLANT.

PROOF OF SERVICE

I, Raymond Chestnut, do hereby certify that on this 23rd day of July, 2015 I served a copy of the attached 'NOTICE OF APPEAL' and 'MOTION FOR APPOINTMENT OF COUNSEL' on the Respondent addressed below by placing said contents in a pre-paid stamped envelope and provided same to PRISON authorities at U.S.P. Lewisburg to be placed in the United States mail.

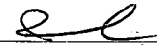
Jimmy A. Richardson, Esquire
Horry County Solicitor's Office
P.O. Box 1276
Conway, SC 29528

Alan Wilson, Esquire

Office of the South Carolina Attorney General

P.O. Box 11549

Columbia, SC 29211



Raymond Chestnut

Raymond Chestnut, #13465-171

United States Penitentiary

P.O. Box 1000

Lewisburg, PA 17837

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JUL 27 2015

SC Court of Appeals

July 23, 2015

The Honorable Jenny A. Kitchings

Clerk, South Carolina Court of Appeals

P.O. Box 11629

Columbia, SC 29211

RE: The State of South Carolina v. Raymond Chestnut
Lower Court case No. 2003-GS-26-3312

Dear Ms. Kitchings:

Enclosed please find NOTICE OF APPEAL
along with a copy of the order I am appealing
and MOTION FOR APPOINTMENT OF COUNSEL in the
above-referenced matter.

Sincerely,



Raymond Chestnut

cc: Jimmy A. Richardson, Esquire

Alan Wilson, Esquire

Inmate Name: Raymond Chestnut
Register Number: 13465-171
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837

HARRISBURG PA 171

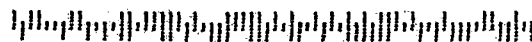
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Jenny A. Kitchings, clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
JUL 27 2015
SC Court of Appeals

Legal mail

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U.S. PENITENTIARY

P.O. BOX 1000

LEWISBURG, PA 17033

JUL 24 2015

DATE _____

THE ENCLOSED LETTER WAS PROCESSED THROUGH SPECIAL MAILING PROCEDURES FOR FORWARDING TO YOU. THE LETTER HAS BEEN NEITHER OPENED NOR INSPECTED. IF THE WRITER RAISES A QUESTION OR PROBLEM OVER WHICH THIS FACILITY HAS JURISDICTION, YOU MAY WISH TO RETURN THE MATERIAL FOR FURTHER INFORMATION OR CLARIFICATION. IF THE WRITER ENCLOSES CORRESPONDENCE FOR FORWARDING TO ANOTHER ADDRESSEE, PLEASE RETURN THE ENCLOSURE TO THE ABOVE ADDRESS.