

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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DEC 21 2015
SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Daniel Dewitt Hall, Circuit Court Judge

Appellate Case No. 2015-001409

State of South Carolina,

Appellant,

v.

Charles Todd Burns,

Respondent.

PETITION FOR SUBSTITUTION OF COUNSEL

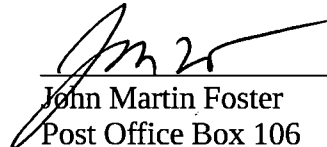
Pursuant to Rules 240 and 264(b), S.C.A.C.R., the Respondent, by his counsel herein, petitions this Court for an order substituting John Martin Foster as his sole counsel of record for the purpose of this appeal, and relieving Michael L. Brown, Jr. as counsel for that purpose, on the grounds stated below:

1. Michael L. Brown, Jr. is currently in the hospital and in recovery from an operation. John Martin Foster has been retained by the Respondent, Charles Todd Burns, for the purpose of this appeal. This Petition is filed with Mr. Brown's agreement.
2. The Respondent has notice of this Petition and has consented to the substitution of counsel, as indicated by his signed Consent, which is attached hereto and incorporated herein.
3. Mr. Foster, as prospective counsel, has already filed, with Mr. Brown's agreement and permission, a joint Motion for Extension of time herein.

4. The basis of this Petition is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Petition.

WHEREFORE, the Respondent herein petitions this Court for an order substituting John Martin Foster as his sole counsel of record for the purpose of this appeal.

December 18, 2015



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
(803) 324-8100
Attorney for Respondent

Other Counsel of Record:

William M. Blich, Jr.
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, S. C. 29211
Attorney for Appellant
(803) 734-3970

Michael L. Brown, Jr.
Post Office Box 1025
Rock Hill, S. C. 29731
(803) 328-8822

THE STATE OF SOUTH CAROLINA
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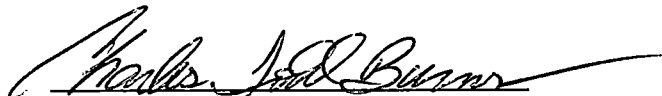
Charles Todd Burns,

Respondent.

CONSENT TO SUBSTITUTION

Pursuant to Rule 264(b), S.C.A.C.R., the Respondent consents to the substitution of John Martin Foster for Michael L. Brown for and during the above appeal, and waives any further notice of any motion to that effect.

December 15, 2015


Charles Todd Burns

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Appellate Case No. 2015-001409

State of South Carolina,

Appellant,

v.

Charles Todd Burns,

Respondent.

CERTIFICATE OF SERVICE

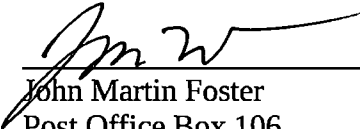
I certify that I have served the Respondent's Petition for Substitution of Counsel dated December 18, 2015, on the following counsel or persons of record:

William M. Blich, Jr.
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, S. C. 29211

Michael L. Brown, Jr.
Post Office Box 1025
Rock Hill, S. C. 29731

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262(b), S.C.A.C.R.

December 18, 2015



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Respondent

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JOHN MARTIN FOSTER

Attorney at law

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

December 18, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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Re: State of SC, Appellant,
v. Charles Todd Burns, Respondent
Appeallate Case No. 2015-001409

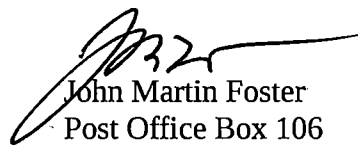
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Respondent's Petition for Substitution of Counsel, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Petition, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely,

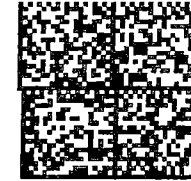
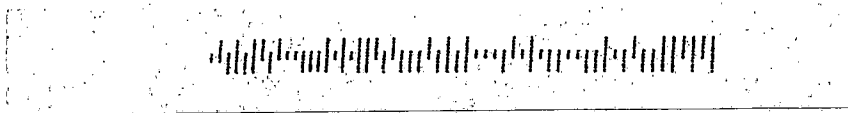


John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
803 324-8100
Attorney for Respondent


jmf/
enclosures

cc: William M. Blich, Jr.
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, S. C. 29211
Attorney for Appellant
(803) 734-3970

Michael L. Brown, Jr.
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Rock Hill, S. C. 29731



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SC Court of Appeals

John Martin Foster Attorney

223 East Main St Suite 520
Post Office Box 106
Rock Hill SC 29731-6106

TO:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF THE COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, S.C. 29211