

Phillip H. Crocker, III, SCDC #298423,
Turbeville Correctional Institution,
Post Office Box 252,
Turbeville, South Carolina 29162.

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JAN - 4 2016

SC SUPREME COURT

December 24th, 2015.

The South Carolina Supreme Court,
Clerk of Court Office,
ATTN: Mr. Daniel Shearouse, Clerk of Court,
Post Office Box 11330,
Columbia, SC 29211.

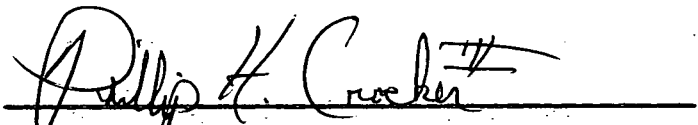
RE: Filing Motion to Relieve the South Carolina Commission on
Indigent Defense, Division of Appellate Defense, et al.

Dear Clerk,

Enclosed for filing please find the original and one (1)
copy of the above referenced Motion and Affidavit of Service of
Mail. Please time-stamp file these documents and return copies
to me at the above address.

Thank you, your service is appreciated.

Sincerely yours,



PHILLIP H. CROCKER, III.

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

James R. Barber, III, Circuit Court Judge.

Appellate Case No. 2014-00174

Phillip H. Crocker, III, SCDC #298423,

Pro Se Petitioner,

v.

State of South Carolina,

Respondent.

Motion To Relieve South Carolina Commission On Indigent Defense

- Division Of Appellate Defense, et al.

This Motion is set before the Court as a result of the Circuit Court dismissing Petitioner's Post-Conviction Relief Application. A timely Notice of Appeal was filed and the South Carolina Commission on Indigent Defense - Division of Appellate Defense (SCCID-DAD) was appointed to represent Petitioner. SCCID-DAD assigned Susan B. Hackett to be the case agent.

Thereafter, Petitioner copied this Court a letter he wrote to Ms. Hackett requesting that she file a Motion To Relieve herself as counsel. This Court construed the letter as a Motion and issued an Order. The Petitioner then filed a Motion for Extension of time to respond to Court's Order.

Now, the Petitioner is asking this Honorable Court to rule ethically in this matter and grant the Petitioner's Motion based on the following:

1. On direct appeal the Petitioner was represented by private counsel, John Delgado and Kathrine H. Hudgins, Case No. 2002-GS-40-9503, 9561.
2. In his Post-Conviction Relief action the Petitioner accused Mr. Delgado and Ms. Hudgins of providing him ineffective assistance of appellate counsel.
3. Presently, SCCID-DAD is representing the Petitioner in the appeal of the dismissal of Post-Conviction Relief Application.
4. Presently, Ms. Hudgins is employed as an agent for SCCID-DAD.

CONCLUSION

By SCCID-DAD representing the Petitioner in his above stated

appeal while employing Ms. Hudgins as an agent/staff attorney, a conflict of interest exists. Based off "divided loyalties". See, STATE v. GREGORY 364 S.C. 150, 612 S.E. 2d 449 (2005).

RELIEF SOUGHT

The Pro Se Petitioner seeks the following relief:

1. Order stating that the South Carolina Commission on Indigent Defense - Division of Appellate Defense and it's agents are relieved from representing the Petitioner in the above stated appeal.
2. All such other and further relief as this Court may deem just and proper.

DATED:

December 24th, 2015

Phillip H. Crocker III

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Phillip H. Crocker, III, SCDC #298423,
Pro Se Petitioner,
Turbeville Correctional Institution,
Post Office Box 252,
Turbeville, South Carolina 29162.

cc: Susan Barber Hackett, Esquire.

Megan Harrigan Jameson, Esquire.

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Appellate Case No. 2014-00174

S.C. SUPREME COURT

Phillip H. Crocker, III, SCDC # 298423,

Pro Se Petitioner,

v.

State of South Carolina,

Respondent.

AFFIDAVIT OF SERVICE BY MAIL

1. I am the Pro Se Petitioner in the above captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the Motion To Relieve South Carolina Commission On Indigent Defense - Division of Appellate Defense ...et al, in the above captioned matter on the person by depositing same in the United States mail box addressed as follows:

1. Office of the South Carolina Attorney General,
Ms. Megan Harrigan Jameson, Assistant Attorney General,
Post Office Box 11549,
Columbia, SC 29211.

2. South Carolina Commission On Indigent Defense -
Division Of Appellate Defense,
Ms. Susan B. Hackett, Esquire,
Post Office Box 11589,
Columbia, SC 29211-1589.

Dated this 29th day of December, 2015.



(All Rights Reserved)

Phillip H. Crocker, III, # 298423,

Pro Se Petitioner,

Turbeville Correctional Institution,

Post Office Box 252,

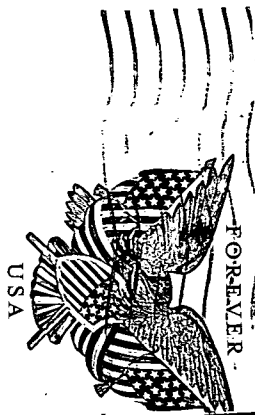
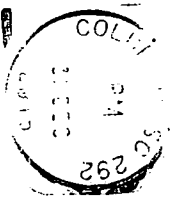
Turbeville, South Carolina 29162.

Mr. Phillip H. Cochran #1
SCDC # 298433 - RTI - TAF# 123
P.O. Box 252
Turbeville, SC 29162

DEC 29 2015

MAILROOM
TURBEVILLE, SC

RECEIVED

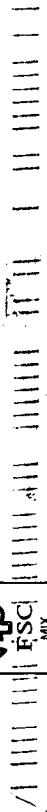


Regal Mail

The Supreme Court of North Carolina
Clerk of Court Office
Attn: Mr. Daniel S. Johnson, Clerk of Court
Post Office Box 11330
Columbia, SC 29909

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