



Division of Appellate Defense  
1330 Lady Street, Suite 401  
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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

January 14, 2016

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

RECEIVED

JAN 15 2016

SC SUPREME COURT

Re: Jeffrey Lee Moore v. State  
Appellate Case No. 2015-000889

Dear Mr. Shearouse:

I received your letter dated January 7, 2016, with Petitioner Moore's Motion to Relieve and Appoint Outside Counsel attached. Please accept this letter as the return to Petitioner's motion. I take no position in regard to Petitioner's Motion to Relieve and Appoint Outside Counsel.

I filed a Johnson Petition for writ of certiorari on Petitioner's behalf on December 7, 2015. On August 24, 2015, I sent Mr. Moore a letter advising him that I had been appointed to represent him. Included in this initial letter are specific instructions in regard to the telephone privilege request. I have attached a copy of the letter. On November 18, 2015, I received a letter from Mr. Moore indicating that he was unable to reach me by phone. I wrote to Mr. Moore on November 23, 2015, and suggested a solution to the phone problem. Alternatively, I suggested that he write me a letter addressing any issues he wished for me to review when deciding the issues to be included in the petition for writ of certiorari. I did not receive any other letters from Mr. Moore.

I had adequate time to prepare the Petition for writ of certiorari. The appendix contains 102 pages. Pages 1-32 include the guilty plea transcript, indictment and sentencing sheet. Pages 33-47 include the application for post conviction relief and the return. Pages 48-102 include the PCR transcript and order of dismissal.

It is unfortunate that Mr. Moore was unable to contact me by phone. I do not believe, however, that his inability to contact me by phone affected my representation of Mr. Moore. Additionally, as I have filed a Johnson petition, Mr. Moore will have the opportunity to raise additional issues in his *pro se* brief.

I will be happy to file a formal return if requested by the Court. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathrine H. Hudgins". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kathrine H. Hudgins  
Appellate Defender

Encl.

KHH/ssd



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

August 24, 2015

Mr. Jeffrey Lee Moore, #263267  
Allendale Correctional Institution  
PO Box 1151, Hwy. 47  
Fairfax, SC 29827

Re: Your case

Dear Mr. Moore:

I am the lawyer who will be handling your case in the Supreme Court. I will be reviewing the record of the proceedings at the PCR court to see what legal errors to present to the Supreme Court on your behalf. I will submit these in the form of a petition for writ of certiorari.

When I file the petition, I will send you a copy of all relevant hearing transcripts and material in the form of an appendix. Only information that was in front of the PCR judge can be included in the appendix.

You must be patient while the court considers your case. The process is very slow, but there is nothing I can do to speed up the process. It may be a few months before I submit a petition to the Supreme Court and at least a year after that before the Court decides your case. **Some cases take even longer.** You will be notified when the Court makes a decision and letters asking the status of your case do not speed up the process.

Please keep these points in mind. The Supreme Court can only consider the information that was before the PCR court. Any new information cannot be brought to their attention at this point. In addition, the issue must have been addressed in the PCR court's order of dismissal before it can be raised to the Supreme Court.

The court decides the case based on the written material submitted by the attorney general's office and me. It very rarely sets oral arguments, which are an opportunity for me to focus its attention on the information in the petition. If you are in prison, you cannot attend.

Mr. Jeffrey Lee Moore, #263267  
Page 2  
August 24, 2015

In addition, we are not able to visit our clients personally but feel free to call collect.

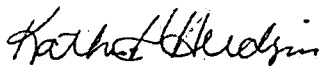
Be assured that I will try my best to find reversible error. I will submit the best petition I possibly can to the Supreme Court.

I receive a tremendous amount of mail and I may not be able to respond to all letters. However, you are free to telephone me collect. An SCDC Telephone Privilege Request has already been submitted for the following number: (803) 734-1330. **Please record your full name on the recording. We cannot accept a collect call with a nickname or partial name.** This is the preferred method of us communicating. Regardless, rest assured if you write me a letter about your case, I will read it and carefully consider it as I decide which issue or issues to submit to the appellate court. Please note that the decision about which issues to submit is mine. Only if I submit a "no merits" or Johnson petition, stating that I could not find any good issues, will the court let you submit your own legal arguments.

Finally, if you are transferred to another facility or released, you must write and let me know where you are. The Department of Corrections will not notify us of your new address.

I hope this letter answers some of the questions you may have at this time. Again, please do not hesitate to contact me by letter if you have any questions or I may be of further assistance.

Sincerely,



Kathrine H. Hudgins  
Appellate Defender

KHH/cdb

# SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

**INDIGENT/APPELLATE DEFENSE  
PLEASE PRINT**

**TELEPHONE PRIVILEGE REQUEST**

All information requested on this form must be provided. After you have filled out the form, mail it to the address on the reverse side of this form. If you are the inmate's attorney, please see the reverse side of this form for additional instructions.

Inmate: Please fill out this block before you mail this form to the person who you want to be added to your telephone list.

**INMATE NAME:** Jeffrey Lee Moore **INMATE SCDC NUMBER:** #263267

**INSTITUTION TO WHICH ASSIGNED:** Allendale Correctional Institution **UNIT/ROOM#:** \_\_\_\_\_

I wish to be added to the telephone list of the above inmate so that I can receive collect phone calls from this inmate. My name, relationship to the inmate, telephone number, telephone service provider, physical address, and mailing address are listed below. I understand that no toll-free numbers or cellular telephone numbers are allowed.

Name of Requestor (First and Last)	Relationship to Inmate (e.g., mother, friend, attorney)	Telephone Number (Include Area Code)	Local Telephone Service Provider Name
Kathrine H. Hudgins	Attorney	(803) 734-1330	State of SC - CIO

**Physical Address** (Required by the South Carolina Department of Corrections):

1330 Lady Street, Suite 401

(STREET NUMBER, STREET NAME OR RURAL ROUTE AND BOX NUMBER)

Columbia SC 29201

(CITY, STATE, AND ZIP CODE)

**Mailing Address** (Required by Sprint/If different from address above)

PO Box 11589, Columbia, SC 29211-1589

(POST OFFICE BOX NUMBER, CITY, STATE, AND ZIP CODE)

Both addresses are required if applicable. A Post Office box alone is not acceptable. A physical address is mandatory:

\*\*\*\*\*

By completing this form I am stating that I understand and agree to the following:

1. I am the party to whom the residential telephone service is billed or an acceptable agent for that party.
2. I agree to pay all costs associated with accepting collect telephone calls from the above inmate.
3. I will always be quoted the rate prior to acceptance and charges do not begin until I accept the telephone call.
4. It is always my choice to accept or refuse a call.
5. Since inmate telephone privileges are a privilege not a right of the inmate, I understand that any fraudulent information that I provide in connection with this form or any efforts to defraud the phone company or to commit fraud using this phone system may result in loss of or restricted use of these privileges for the inmate.
6. I understand that all calls are subject to monitoring and recording with the exception of an inmate's attorney who has provided a request to the South Carolina Department of Corrections General Counsel. (Attorneys, please see reverse side for more information.)
7. If you are no longer representing inmate and wish to be removed from the inmate's calling list, you must submit in writing, on agency letterhead your request to be removed from calling list to General Counsel, South Carolina Department of Corrections.

Kathrine H. Hudgins

(SIGNATURE OF RESPONSIBLE PARTY)

2/2/15

(DATE)

Data Entry Performed by: \_\_\_\_\_ on \_\_\_\_\_

**RECEIVED**

JAN 14 2016

**SC SUPREME COURT**

COLUMBIA SC 292

FRI 15 JAN 2016 AM

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South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
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**CONFIDENTIAL LEGAL MAIL**

The Honorable Daniel E. Shearouse  
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