



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

March 1, 2016

RECEIVED

MAR - 1 2016

SC SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: David Gerrard Johnson v. State of South Carolina 2014-01506

Dear Mr. Shearouse:

Enclosed is a copy of the petition for writ of certiorari, a motion for leave to proceed *in forma pauperis*, and the order of appointment for David Gerrard Johnson in support of motion to proceed *in forma pauperis*, which I have filed today in the United States Supreme Court. Please contact me if you have any questions.

Sincerely,

Susan B. Hackett

Susan B. Hackett
Appellate Defender

SBH

Enclosures

cc: Melody J. Brown, Esquire

No. 15-_____

In the Supreme Court of the United States

DAVID GERRARD JOHNSON, Petitioner,

v.

STATE OF SOUTH CAROLINA, Respondent.

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SC SUPREME COURT

**ON PETITION FOR WRIT OF CERTIORARI TO THE
SOUTH CAROLINA COURT OF APPEALS**

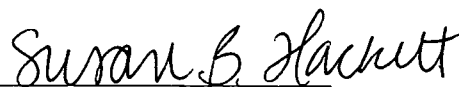
MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

David Johnson asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

[X] Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s): Florence County, South Carolina Circuit Court; South Carolina Court of Appeals; South Carolina Supreme Court.

Petitioner's order of appointment in support of this motion is attached hereto.

Respectfully submitted,



Susan B. Hackett
South Carolina Commission on Indigent Defense
Division of Appellate Defense
1330 Lady Street, Fourth Floor
Columbia, SC 29201
(803) 734-1330

March 1, 2016.

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

State of South Carolina,
Plaintiff,

David Johnson -vs-

Defendant Juvenile.

Offense(s): *Murder*

IN THE COURT OF (Select one.)

GENERAL SESSIONS FAMILY COURT
JUDICIAL CIRCUIT

CASE NO.: *J398709, 11; 12; 13; 14*
APPOINTMENT OF COUNSEL

(Select one.)

ORDER

AMENDED ORDER

FILED
2009 SEP 11 PM 1:33
CONNIE REEL-SHEA
CCC & GS
FLORENCE COUNTY

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
- the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:
- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.

FILED
2009 SEP 14 PM 1:33
CONNIE REEL-SHEA
CCC & GS
FLORENCE COUNTY

Therefore, it is ordered that *Walter Lee*, Esquire hereby is appointed as (Select only one.)

counsel lead counsel (if capital PCR case)
for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that *W. James Hoffmeyer*, Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED THIS *4th* DAY OF *Sept*, 2009

Steph King Anderson
 Circuit Judge Clerk of Court

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at [redacted] and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

No. 15-_____

In the Supreme Court of the United States

DAVID GERRARD JOHNSON, Petitioner,

v.

STATE OF SOUTH CAROLINA, Respondent.

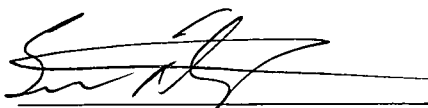
***ON PETITION FOR WRIT OF CERTIORARI TO THE
SOUTH CAROLINA COURT OF APPEALS***

CERTIFICATE OF SERVICE

I certify that copies of the motion for leave to proceed *in forma pauperis* together with the order of appointment of counsel for David Johnson have been served upon opposing counsel, Melody J. Brown, by mailing copies in envelopes properly addressed with postage prepaid to the Office of the Attorney General, P.O. Box 11549, Columbia, SC 29211 on this 1st day of March, 2016.


SUSAN B. HACKETT
Counsel of Record

SWORN TO BEFORE me this 1st
day of March, 2016.


_____(L.S.)
Notary Public for South Carolina
My Commission Expires: October 30, 2022.

