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MAY 03 2016

THE STATE OF SOUTH CAROLINA
In the Supreme Court

S.C. SUPREME COURT

CERTIORARI TO THE COURT OF APPEALS
Appeal from Spartanburg County
The Honorable J. Derham Cole, Post-Conviction Relief Judge

Opinion No. 5372 (S.C. Ct. App. Filed December 30, 2015)

Appellate Case 2016-000610

Farid A. Mangal,

Respondent,

v.

State of South Carolina,

Petitioner.

RETURN TO MOTION FOR LEAVE TO PARTICIPATE AS AMICUS CURIAE

The Respondent filed for post-conviction relief in 2010. The Solicitors' Association of South Carolina did not ask to be a part of that case. Mr. Mangal appealed, and the Solicitors' Association of South Carolina did not ask to be part of that case. Certiorari was granted and the case was transferred to the Court of Appeals on July 29, 2013; but the Solicitors' Association of South Carolina did not ask to be part of that case. The Court of Appeals granted relief four months ago, and now belatedly the Solicitors' Association of South Carolina (SASC) asks to join the case.

To the extent that the issues the SCAC desires to raise are already being argued, there is no need for a new party to make the same arguments. To the extent that the SCAC wishes to raise new arguments, the Respondent is prejudiced by the introduction of these at the final stage of the appellate process, contrary to the intent of the Court's rules.

The Attorney General, counsel for the Petitioner, is the head of all the solicitors in S.C. See S.C. Constitution Art. V, Section 24; *State v. Cooper*, 110 S.C. 256, 96 S.E. 398 (1918); and S.C. Code Sections 1-7-320 and 1-7-350. It would be grossly inappropriate to allow a subset of his workforce to make separate arguments in this appeal.

There is no need for the intervention of the SCAG at this late date, the Court would not benefit from it and allowing it would be prejudicial to the Respondent because it would allow the State to introduce issues not previously argued by a back door. The motion must be denied.

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April 29, 2016

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CERTIFICATE OF SERVICE

The undersigned certifies that she is an employee at Cox Ferguson and Wham LLC and that on the 28 day of April, 2016 she served the Return to Motion for Leave to Participate as Amicus Curiae herein by depositing a copy of it in the United States Mail, postage prepaid and addressed to:

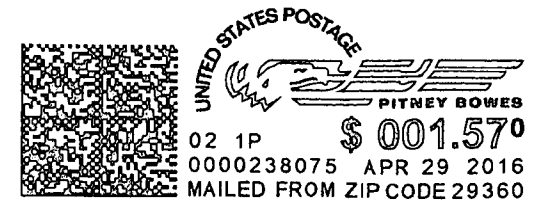
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April 28, 2016

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