

David Dwight Smith, SCDC#245760
Allendale Correctional Institution
P.O. Box 1151, Hwy 47
Fairfax, SC 29827-1151

May 3, 2016

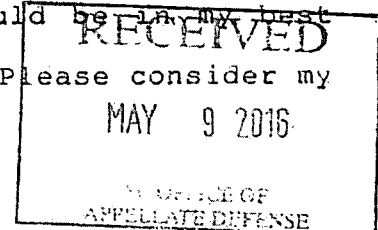
Mr. Robert M. Dudek *mm*
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
The Keenan Bldg., Fourth Floor
1330 Lady Street
Columbia, SC 29201

RE: David Dwight Smith v. State of South Carolina;2011-CP-42-1283

Dear Mr. Dudek,

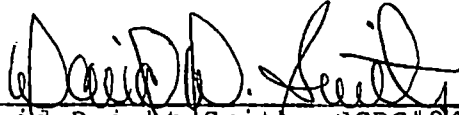
I am writing you because I don't want to be represented by your office due to my claims of ineffective assistance of Appellate Counsel. I believe Appellate Defense has a conflict of interest in representing me. After my Direct Appeal was won by Mr. Joseph Savitz the South Carolina Supreme Court granted Certiorari to the State. Mr. Joseph Savitz represented me and retired before the South Carolina Supreme Court reversed the decision of the South Carolina Appeals Court's decision in my favor. When I attempted to Appeal that decision, the South Carolina Supreme Court's Clerk, Mr. Daniel E. Shearouse refused to allow me that right because as he informed me, I was still represented by counsel or Appellate Defense. When I contacted Appellate Defense and briefly spoke with you, I was informed your office no longer represented me. Your office ignored my want and right to Appeal. I was sent a PCR application and advised of the one (1) year to file. I do not believe it would be in my best interest for Appellate Defense to represent me. Please consider my

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claims of ineffective assistance of Appellate Counsel as well as my rights. Also consider the close working relationship you have had with the former Chief Appellate Defender Mr. Joseph Savitz who for decades was the Chief, as well as the lawyers in your agency that now work under you. I am requesting that you and your agency not be able to represent me. Thank you in advance for your anticipated cooperation & assistance in this matter.

Sincerely,

/s/ 
David Dwight Smith, SCDC#245760

cc: file
The Honorable Daniel E. Shearouse



Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
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Columbia, South Carolina 29211-1589
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

May 26, 2016

Mr. David Dwight Smith, # 245760
Allendale Correctional Institution
PO Box 1151, Hwy. 47
Fairfax, SC 29827

Re: your recent letter

Dear Mr. Smith,

We have received your letter. If you do not wish to be represented by the Division of Appellate Defense, please file a pro se motion to relieve our office with the Supreme Court, if you consider that there is a conflict.

Please contact me, if you have any questions.

Sincerely,

Paula Murdoch
Administrative Coordinator

/mpm