

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Williamsburg County
John C. Hayes, III, Circuit Court Judge
Appellate Case No. 2013-002391

RECEIVED
JUL 13 2016
SC Court of Appeals

THE STATE,

Respondent,

vs.

JUSTIN MCBRIDE,

Appellant.

**AMENDED RETURN TO MOTION
FOR APPELLANT COUNSEL
TO BE RELIEVED**

The Respondent now makes this return to the motion for Appellant's counsel to be relieved.

(1) Respondent takes no position on whether retained counsel should be relieved.

(2) However, Respondent disagrees Petitioner would be entitled to appointment of counsel absent proof of indigence and on the grounds that Petitioner, and criminal defendants in general, have no right to counsel for a discretionary appeal. Douglas v. State, 369 S.C. 213, 631 S.E.2d 542 (2006) (finding no right to effective assistance of counsel when seeking discretionary review of a direct appeal).

Respectfully Submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General
Bar #68571

BY: 

DAVID SPENCER

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ATTORNEYS FOR RESPONDENT

July 13, 2016

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CERTIFICATE OF SERVICE

I, Anne Mueller., certify that I have served the Amended Return to Motion for Appellant Counsel to be Relieved by depositing one copy of the same in the United States mail, postage prepaid, addressed to each of Appellant's counsel of record:

Wendy J. Keefer, Esquire
1643B Savannah Hwy., Suite 226
Charleston, SC 29407

Adam Owensby, Esquire
P.O. Box 21043
Charleston, SC 29043

Joshua Preston Stokes, Esquire
145 King Street, Suite 407
Charleston, SC 29401

I further certify that all parties required by Rule to be served have been served.
This 13th day of July, 2016.



Anne A. Mueller
Legal Assistant

Office of Attorney General
Post Office Box 11549
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(803) 734-3727

ATTORNEY FOR RESPONDENT