

Daniel E. Shearouse
S.C. Supreme Court
P.O. Box 11330
Columbia, SC 29211

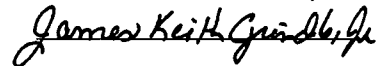
October 24, 2012

James Keith Grindle, Jr. #319064
Kirkland Correctional B2-03
4344 Broad River Road
Columbia, S.C. 29210

Dear Mr. Shearouse,

I am writing this letter to inform you that my counsel allowed the court to move forward with my case, without ever giving me the chance to present my part of the Johnson Brief. Please read the correspondence which I received from Mr. Pachak concerning what I was to expect from the appellate court on the Writ of Certiorari. Therefore, I feel as if my right to affective counsel has been violated, and would like you to respond forthright concerning this issue and what I should do in order to be heard outright with the issues most essential to my case. Please clock stamp and file this in the court and return to me that it may at the least be preserved at the next level. Thanking you in advance for your professionalism and expedient efficacy in this matter.

James Keith Grindle, Jr.



RECEIVED

OCT 31 2012

S.C. SUPREME COURT

October 24, 2012

Dear Mr. Pachak,

I am writing you after being notified that my writ was denied. Imagine my absolute wonder of this since I have been waiting for the Supreme Court's request for any and all information that I felt pertinent and essential to my case. The reason I was waiting is because you informed me a request would be forthcoming, but it never came. Instead, I find myself having to move forward to the Habeas Corpus without ever being given the opportunity to present my issues in a Johnson Petition.

According to *Cronic vs. United States* 104S.Ct.2039 (1984) No. 82-660 "council is to use proper and adequate adversarial skills in order for the judicial process to work," there as been a denial of Sixth Amendment Rights, and I find myself being led as a sheep to the slaughter by my own counsel—that is you, Mr. Pachak. As with most (not all) of the Appellate Counsel you were so quick to move to be relieved of counsel without ever even trying to fight for me or to counsel me on any and all options. Therefore, please be notified that I am sending a copy of this letter along with your previous correspondence informing me to wait for something that was never to come, to both the Clerk of Court and the Attorney General as well as to the Office of Disciplinary Counsel.

Please file for a rehearing immediately.

RE: Attorney General
Clerk of Court
Office of Disciplinary Counsel

I am, *James Keith Grindle, Jr.*
James Keith Grindle, Jr. #319064
Kirkland Correctional B2-03
4344 Broad River Road
Columbia, S.C. 29210

RECEIVED

OCT 31 2012

S.C. SUPREME COURT



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

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

June 7, 2011

Mr. James Keith Grindle #319064
Kirkland Correctional Institution
4344 Broad River Road
Columbia, SC 29210

Re: Your appeal

Dear Mr. Grindle:

Enclosed please find a copy of the petition for writ of certiorari and a copy of the appendix in your case that I filed today with the South Carolina Supreme Court on your behalf.

Please be advised that I have submitted an Johnson Petition for Writ of Certiorari indicating it is my belief there is no merit to your appeal and within the brief was a petition to be relieved as counsel which I am required to file. I have **not** been relieved as your attorney. I will remain your attorney of record until the Court makes a decision on my petition to be relieved as counsel that was included in the Johnson Petition. Counsel for respondent, The State, **may** file a Return within forty-five (45) days of the date the petition was served on them. I will forward a copy of all documents to you for your information. Shortly thereafter, you will receive a letter from the Court requesting that you furnish the Court with any information you feel is essential to determination in this case. You will be instructed to submit your statement within a specific period of time by the Court. You do not have to submit anything if you do not want to.

Should you have any questions concerning this matter, please contact me.

Sincerely,

Robert M. Pachak
Appellate Defender

RECEIVED

OCT 8 1 2012

S.C. SUPREME COURT

RMP/fkb
Enclosures



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

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

October 4, 2012

James Keith Grindle, #319064
Kirkland-Correctional-Institution
4344 Broad River Road
Columbia, SC 29210

Re: Your case

Dear Mr. Grindle:

Enclosed is a copy of the Order of the Supreme Court denying our Petition for Writ of Certiorari, and granting the petition to be relieved. This means that you have now exhausted your state court remedies.

There is now a **one-year statute of limitations for filing an application for a writ of habeas corpus in federal court**. However, please be aware that the time between your direct appeal becoming final, and the date your PCR application is filed **will count against your federal habeas statute of limitations in the future**. This statute of limitations is strictly enforced. I have enclosed a copy of the pertinent section of that statute for you to review. I am closing your file with this letter. Please understand that it is **your obligation alone** to ensure that a federal habeas application is timely filed if you want to continue challenging your conviction. Feel free to contact me if you have any questions, but writing to me **does not stay** the applicability of the statute of limitations. I do wish you the best in the future.

Sincerely,

Robert M. Pachak
Appellate Defender

RMP/pcm

Enclosure

The Supreme Court of South Carolina

James Keith Grindle, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-187272

RECEIVED

ORDER

This matter is before the Court on a petition for a writ of certiorari. The petition for a writ of certiorari is denied.



C.J.

FOR THE COURT

Columbia, South Carolina

October 3, 2012

cc:

Suzanne Hollifield White

Robert M. Pachak