

# The Supreme Court of South Carolina

Robert Louis Garrett, Jr., Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001448

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## ORDER

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Petitioner's counsel has sent this Court a letter dated October 11, 2016. While the subject of the letter indicates that it is related to a "Motion to be relieved for Robert Louis Garrett", the body of the letter makes no mention of being relieved as counsel. Instead, the body indicates that counsel does not have a good faith explanation to provide in this case.

To the extent this document is intended to be a motion to be relieved as counsel for the petitioner, it is denied for two reasons. First, counsel has failed to provide an affidavit or certificate of service showing a copy of this motion has been served on opposing counsel and on his client as required by Rules 240(c) and 264(b) of the South Carolina Appellate Court Rules (SCACR). Second, even if the motion had been served on opposing counsel and the client, counsel has failed to provide a sufficient justification to be relieved as counsel. Rule 264(b), SCACR (counsel may not withdraw without the consent of his client or justifiable cause).

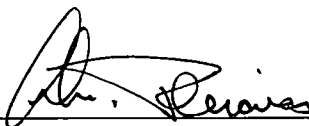
To the extent this document is intended to be the response permitted by *Dennison v. State*, 371 S.C.221, 639 S.E.2d 36 (2006), this response does not comply with the requirements of that case.<sup>1</sup> Accordingly, within ten (10) days of the date of this

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<sup>1</sup> In relevant part, this case states the following:

[I]f counsel does not have a good faith explanation to provide pursuant to [Rule 243(c), SCACR], counsel shall provide the Court with a letter stating that as an officer of the Court, counsel is unable to set forth any arguable basis for asserting the determination by the PCR judge that the PCR application was successive and barred by the statute of

order, petitioner's counsel shall serve and file a response that fully complies with the requirements of *Dennison v. State*.

  
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FOR THE COURT C.J.

Columbia, South Carolina

October 21, 2016

cc: Fulton Casey Dale Cornwell, Esquire  
Julia Amanda Coleman, Esquire  
Robert Louis Garrett, Jr., #291096

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limitations was improper. Counsel shall further advise the petitioner by copy of the letter that the petitioner should notify the Court, no later than twenty (20) days from the date of the letter, of any arguable basis the petitioner may wish to assert that the determination that the PCR application was successive and barred by the statute of limitations was improper.