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NOV 04 2016

The Supreme Court of South Carolina

SC Court of Appeals

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499

November 4, 2016

J. Falkner Wilkes, Esquire  
114 Whitsett St.  
Greenville, South Carolina 29601

Re: The State v. Ricky Mazique  
Appellate Case No. 2012-213631

Dear Mr. Wilkes:

Enclosed is correspondence received from your client. Since you represent him before the South Carolina Court of Appeals,<sup>1</sup> no action will be taken on this *pro se* document by this Court. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998) *Foster v. State* 298 S.C. 306, 379 S.E.2d 907 (1989).

Very truly yours,

*Daniel E. Shearouse*  
CLERK 55

Enclosure

cc: Mr. Rickey Mazique #353218  
David A. Spencer, Esquire (with copy of correspondence)  
The Honorable Jenny Abbott Kitchings (with copy of correspondence)

<sup>1</sup> I do not see any indication in the appellate case management system that the Court of Appeals has relieved you as counsel for appellant under Rule 264 of the South Carolina Appellate Court Rules. Therefore, I do not understand his assertion that you are no longer his counsel. In any event, if it is appropriate to relieve or appoint counsel for the purpose of filing a petition for rehearing, that is a matter for Court of Appeals to consider.

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SC Court of Appeals

Rickey MAZIQUE #353218  
4460 BROAD RIVER RD MAIL 117  
Columbia, S.C 29210

APPELLATE CASE NO.  
2012-213631

OCTOBER 31, 2016

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NOV 03 2016

THE SUPREME COURT OF SOUTH CAROLINA  
DANIEL E. SHEAROUSE, CLERK OF COURT

S.C. SUPREME COURT

Re: NOTICE OF INTENT TO FILE  
A PETITION FOR REHEARING  
AND APPOINTMENT OF COUNSEL

DEAR MR. SHEAROUSE

My Family hired ATTORNEY J. FALKNER WILKS  
TO DO MY APPEAL, AND IT WAS MY UNDERSTANDING  
THAT HIS OBLIGATION WAS TO DO THE ENTIRE APPEAL,  
HOWEVER, I WAS NOTIFIED BY MR. WILKS BY MAIL  
ON OCT. 23<sup>rd</sup>, I RECEIVED THIS NOTICE ON OCT. 28<sup>th</sup>.  
THAT THE APPEALS COURT HAD AFFIRMED MY CONVICTION  
ON OCT. 19<sup>th</sup>, AND THAT IF I WISHED TO APPEAL I HAD  
FIFTEEN DAYS FROM THE DATE OF THE ORDER TO FILE

A PETITION FOR REHEARING. AND THAT HIS OBLIGATION  
HAD BEEN FULFILLED. BUT IF I WANTED HIM TO CONTINUE  
ADDITIONAL FUNDS WOULD BE NEEDED. MY FAMILY NOR  
I CAN AFFORD THIS. I AM NOW COMPELLED TO  
REQUEST APPOINTMENT OF COUNSEL AND TO PUT THIS  
COURT ON NOTICE OF MY INTENT TO FILE A PETITION  
FOR REHEARING WITH THE APPEALS COURT. I HAVE  
FORWARD THIS SAME NOTICE WITH THE APPEALS COURT  
CLERK. I AM UNSURE ABOUT WHO AND WHAT I MUST  
DO TO PRESERVE MY RIGHT TO PETITION THE APPEALS  
COURT AND TO FILE AN APPEAL WITH THIS COURT. SO  
I'VE MAILED YOU THIS TIMELY NOTICE AS I'VE NOTICED  
THE APPEALS COURT. I WAS TOLD BY MY ATTORNEY THAT  
I HAD TO FILE THE PETITION FOR REHEARING. HOWEVER,  
THE LAW DOES NOT ALLOW ME TO DO SO. I JUST DON'T  
WANT THE 15 DAYS TO TOLL AND I BECOME BARRED.  
AND AS OF THE DATE I RECEIVED NOTICE FROM MR. WILKS  
I AM WITHOUT COUNSEL. IF FOR SOME REASON I HAVE CONTACTED  
THE WRONG PEOPLE WOULD YOU PLEASE FORWARD THIS NOTICE  
TO THEM. I THANK YOU IN ADVANCE.

RESPECTFULLY SUBMITTED  
Ricky Mojique # 353218

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NOV 03 2016

S.C. SUPREME COURT

PROOF OF SERVICE

I, Rickey Mazique<sup>#</sup> 353218 Certify that I  
HAVE SERVED A NOTICE OF INTENT TO Petition FOR  
Rehearing AND Request for Appointment of Counsel  
ON DANIEL E. SHEAROUSE, Clerk OF COURT by depositing  
it in the mailroom. postage prepaid on October 31, 2016  
addressed to Post office Box 11330, Columbia, S.C. 29211

Rickey Mazique

Rickey MAZIQUE. 353218<sup>#</sup>

4460 Broadriver Rd.

Columbia S.C. 29210

**J. FALKNER WILKES**  
*Attorney at Law*

114 Whitsett Street  
Greenville, South Carolina 29601

Telephone: (864) 282-1292  
Facsimile: (864) 271-6035

October 23, 2016

Rickey Mazique, #353218  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia, SC 29210

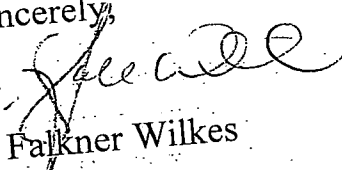
Dear Rickey,

I am sorry to inform you that the court of appeals has issued an order affirming the conviction in your case. I am enclosing a copy for you to review. You may continue to the appeal by filing a petition for rehearing which must be received in the office of the clerk of court before the end of the fifteenth day following the issuance of the opinion. If you intend to pursue the case into the supreme court, you must timely file a petition for rehearing in the court of appeals and have it ruled on. If a timely petition is not received by the court of appeals, the appeal will become final and no further appeal can be taken.

My representation and fees do not extend to further appeal of the case. Obviously I would like to continue with the appeal but since doing so would require additional fees and costs, you must make a cost benefit analysis. If you believe that it is worth committing additional funds for fees and costs to continue the appeal please have your family contact me and make the necessary arrangements immediately so that we can get started.

I will be in a murder trial this week but if your family calls and leaves a message I will try and respond to them after the end of the day. Because I am preparing for the trial that starts tomorrow I can not go into an analysis of the decision in this letter. If you have questions or comments please write to me and I will try to respond as soon as the murder trial is over.

Sincerely,

  
J. Falkner Wilkes

# J. FALKNER WILKES

*Attorney at Law*

114 Whitsett Street  
Greenville, South Carolina 29601

Telephone: (864) 282-1292  
Facsimile: (864) 271-6035

January 24, 2014

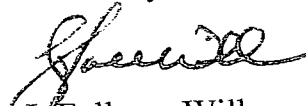
Rickey Mazique, #353218  
386 Redemption Way  
McCormick, SC 29899

Dear Rickey,

I am enclosing a copy of the State's Initial Brief. I am reviewing it now to determine whether a Reply is necessary. I have to make that determination quickly as there is only a ten day window for filing a Reply if one is necessary. If it appears that a Reply is required I will file one. Otherwise, I will begin to prepare the Record on Appeal and Final Briefs for filing. Because we are required to print, bind and file or serve 16 copies of the briefs and record there will be approximately three hundred dollars in costs for the printing and binding of the Record and Briefs. Please have your family contact me immediately regarding the costs as there is a deadline for the filing of the Final Briefs and Record on Appeal.

I will update you once I have determined whether a Reply is required. If not I will prepare the material for printing and binding and await contact by your family.

Sincerely,



J. Falkner Wilkes

4-20-2015

RICKEY MAZIQUE #353218  
BRCI MONT.117  
4460 BROAD RIVER ROAD  
COLUMBIA, SOUTH CAROLINA 29210

J. FALKNER WILKS  
ATTORNEY AT LAW  
114 WHITSETT STREET  
GREENVILLE, SOUTH CAROLINA

RE: LETTER OF INQUIRY

I FORWARD YOU THIS MISSIVE WITH THE INTENT TO OBTAIN A BETTER UNDERSTANDING. AS IT RELATES TO THE FILING OF MY APPEAL.

INITIALLY WE AGREED TO AN AMOUNT THAT YOU WERE PAID BY MY FATHER AND TYRONE, AND NOW IT'S TIME FOR THE FINAL BRIEF'S TO BE SUBMITTED AND YOU'RE CHARGING ME ADDITIONAL FEES. NOW YOU'RE PUTTING IT TO ME AS IF I DON'T PAY THIS ADDITIONAL FEE, THE FINAL BRIEF'S WILL NOT BE FILED. I TOOK IT AS THOU YOU WERE ONLY ASKING FOR HELP. AND THE COST WAS (300.00) THREE HUNDRED DOLLARS. HOWEVER, YOU INFORMED MY SISTER THAT IT WOULD BE AN ADDITIONAL (750.00) SEVEN HUNDRED AND FIFTY DOLLARS AND THAT YOU WERE WAITING ON THIS BEFORE YOU WOULD FILE THE FINAL BRIEF'S. AS AGREED I TOLD YOU WHAT I COULD AFFORD, I WAS ABLE TO COME UP WITH (250.00) TWO HUNDRED AND FIFTY DOLLARS MORE THAN THE AGREED AND PAID AMOUNT. I DO NOT HAVE THE ADDITIONAL FUNDS, NOR SHOULD THEY HAVE BEEN ANY ADDITIONAL FUNDS ATTACHED. AND I NOW ASK WHAT IS THE STATUS OF THE FILING OF THE FINAL BRIEF'S ?

I AWAIT YOUR REPLY.

SINCERELY,