

LAW OFFICE OF



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November 8, 2016

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: State of South Carolina v. Tiant Alphonso Smith
Lower Case Nos. 2014-GS-03429, 03635, 03637
Appellate Case No. 2016-001572

Dear Ms. Kitchings:

The above captioned matter is a direct appeal from a guilty plea. I have been substituted as counsel-of-record for that appeal. I wrote the Court on October 25, 2016, and requested time to obtain and review a transcript held on this client's motion to withdraw his plea on May 19, 2016, before providing the Court an explanation for this appeal. I requested until tomorrow, November 9, 2016, to submit an explanation for this appeal to the Court. At the time I was hired, I was not aware that the client's previous counsel had filed an explanation for the direct appeal pursuant to Rule 203 (d)(1)(B)(iv), SCRAP.

I have received and reviewed the transcript of the plea proceeding, as well as a transcript of the hearing held on this client's subsequent motion to withdraw his plea. Today I was able to have a lengthy conference with my client concerning the pros and cons of proceeding with this direct appeal. He has asked that he be allowed some time to think over my advice, and let me know his decision with regard to this appeal.

Tomorrow I will be in Court in Florence for a PCR hearing. My office is closed on Friday as are all State offices and the Courts. At this time, I would respectfully ask that I be given ten (10) additional days to notify the Court whether my client wishes to go forward with this direct appeal. If he desires to do so, I would ask that I be permitted to file a Supplemental Explanation for the appeal pursuant to Rule 203 (d)(1)(B)(iv), SCRAP. I attempted to obtain consent to this request from opposing counsel, however I was advised that no attorney has been assigned to this appeal by the Office of the Attorney General. The supervisor over the direct appeal division of that office, Ben Aplin, was out of the office today. I am, by copy of this letter, asking that he advise the Court of his position on this request directly. Thank you very much for your time and attention to this request. I remain,

Yours sincerely,

A handwritten signature in black ink that reads "Tara Dawn Shurling". The signature is written in a cursive, flowing style.

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/sg

cc: J. Benjamin Aplin, Senior Assistant Deputy Attorney General
Tiant Alphonso Smith 367135
Ronnice Gray



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