

The Supreme Court of South Carolina

Elbert Wallace, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-000057

ORDER

Petitioner has filed a notice of appeal from an order of the circuit court denying his application for post-conviction relief (PCR). The South Carolina Commission on Indigent Defense, Division of Appellate Defense, is currently representing petitioner in this matter. Robert M. Dudek, Chief Appellate Defender, has moved for the appointment of counsel outside the Division of Appellate Defense due to a conflict of interest arising from an allegation of ineffective assistance of appellate counsel that was raised to and ruled upon by the PCR judge. The State opposes the motion.

The motion is granted. The Division of Appellate Defense is hereby relieved as counsel and Lance S. Boozer is appointed to represent petitioner. The Division of Appellate Defense shall remain associated for the limited purpose of paying for any necessary transcript(s) and providing copies of the petition, appendix and briefs.



C.J.

FOR THE COURT

Columbia, South Carolina

December 06, 2016

cc:

James Clayton Mitchell, III, Esquire

Robert Michael Dudek, Esquire

Lance Boozer, Esquire