

Hopkins, Debbie

From: Murdoch, Paula <pmurdoch@sccid.sc.gov>
Sent: Friday, July 14, 2017 8:17 AM
To: stuart@gotaxelrod.com
Cc: Dudek, Robert; Hopkins, Debbie
Subject: Stephen C. Stanko v. The State

Good morning, Mr. Axelrod

Our office is associated for costs in the case of *Stephen C. Stanko v. The State*.

We were recently informed that there was a hearing on January 23, 2013, before Judge Michael J. Baxley in Darlington County.

We have requested the transcript.

We also learned that you have this transcript.

We would like to obtain a copy from you, if possible today, and I would ask you to let me know as soon as possible.

My direct line is: 803-734-1681.

Thank you very much for your assistance.

Paula Murdoch
Appellate Defense Division
Commission on Indigent Defense

Hopkins, Debbie

From: Dudek, Robert <RDudek@sccid.sc.gov>
Sent: Thursday, July 13, 2017 9:42 AM
To: Murdoch, Paula
Cc: CScrantom@scag.gov; Hopkins, Debbie
Subject: FW: Stanko Jan. 23, 2013 Tr.
Attachments: Order Relieving Ritner as Counsel (Jan 23, 2013 hearing) (May 6, 2013 Order) (01397684xD2C78).PDF; Motion to be Relieved Filed by Andrew Ritner in Oct 2012 (01397682xD2C78).PDF

Paula: Please order the January 23, 2013 hearing in Darlington before Judge Baxley in the Stanko case since no one has it, and the order above confirms it occurred. Thanks, and thanks Caroline.

Bob
734-1955

Robert M. Dudek
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
PO Box 11589
Columbia, SC 29201-1589
(803) 734-1330 – Telephone
(803) 734-1397 - Fax

From: Caroline Scrantom [mailto:CScrantom@scag.gov]
Sent: Thursday, July 13, 2017 9:19 AM
To: Dudek, Robert <RDudek@sccid.sc.gov>
Cc: Anthony Mabry <amabry@scag.gov>
Subject: Stanko Jan. 23, 2013 Tr.

Good morning Bob,

I looked yesterday and again this morning, and I have not located a transcript for the January 23, 2013, Stanko I (Georgetown County) PCR hearing. I have, however, found the attached order by Judge Baxley which details the Darlington hearing, which Anthony Mabry attended. I also attached Ritner's motion which is subject to the order.

Let me know if I can be of additional assistance.

Best,
CMS



Caroline M. Scrantom
Assistant Attorney General

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-8265 (direct line)
cscrantom@scag.gov

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GEORGETOWN)
)
 Stephen C. Stanko, #6022,)
)
 Applicant,)
)
 -vs-)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT

C/A No.: 2008-CP-22-1446

**ORDER RELIEVING SECOND CHAIR
 COUNSEL AND APPOINTING
 SUBSTITUTE POST-CONVICTION
 RELIEF SECOND CHAIR COUNSEL**

FILED
 GEORGETOWN COUNTY SC
 2013 MAY -6 PM 4:06
 CLERK OF COURT

I. INTRODUCTION

This matter came before the Court on J. Andrew Ritner's Motion to Be Relieved as Second Chair Collateral Counsel.¹ The hearing on Mr. Ritner's motion was held on January 23, 2013 at the Darlington County Courthouse, where this Court was presiding. In his motion, Mr. Ritner argued that his recent acceptance of a job as an Assistant Attorney General with the South Carolina Attorney General's office in its Criminal Division creates a non-waivable conflict of interest with his present position as second chair collateral counsel for Stephen Stanko under the South Carolina Rules of Professional Conduct. For the reasons set forth below, the motion is granted.

II. PROCEDURAL BACKGROUND

On August 18, 2006, Stephen Stanko ("Applicant") was convicted of Murder, two counts of Kidnapping, Assault and Battery with Intent to Kill, Criminal Sexual Conduct in the First Degree, and Armed Robbery. He filed the present Post Conflict Relief ("PCR") action on December 8, 2008, challenging his conviction. In January 2009, this Court appointed Everett

¹ This Court was assigned jurisdiction of this case by an Order of the South Carolina Supreme Court dated November 7, 2008.

Godfrey, Jr. and Andrew Ritner² as first and second chair collateral counsel, respectively. Mr. Godfrey represented Applicant for approximately one year until January 2010, at which time the Court relieved Mr. Godfrey of his appointment as first chair collateral counsel due to his retirement from the practice of law. After Mr. Godfrey was relieved as first chair collateral counsel, the Court appointed Stuart Axelrod as first chair collateral counsel, and Mr. Ritner has continued in his role as second chair collateral counsel since his appointment. Mr. Ritner filed this present motion on October 25, 2012, immediately following his acceptance of a position as an Assistant Attorney General in the Criminal Division of the South Carolina Attorney General's office.

At the hearing on this motion, Mr. Ritner informed the Court that his involvement with Applicant's PCR action has been minimal since his appointment in January 2009. Mr. Ritner has not been assigned any legal tasks by either Mr. Godfrey or Mr. Axelrod in their roles as lead counsel. Mr. Ritner has met only once with Mr. Axelrod since the latter's appointment as first chair collateral counsel in January 2010. At that meeting, which occurred at some point in 2012, Mr. Ritner and Mr. Axelrod reviewed court transcripts and discussed briefly and generally the Applicant's strategy for his present PCR action. Regarding his recent employment as an Assistant Attorney General, Mr. Ritner represented to the Court that he works in a different division on a different floor and is separated from the Respondent's capital litigation counsel in this case, Assistant Attorney General Anthony Mabry. Mr. Mabry also confirmed to the Court at the January 23, 2013 hearing that precautions had been taken by both Mr. Ritner and Mr. Mabry to avoid contact between themselves prior to the hearing on the pending motion. Mr. Ritner affirmed at the hearing that as an officer of the Court, he has not and will not disclose or discuss with Respondent's counsel even the minimal exposure he has had with the Applicant's PCR

² Mr. Ritner was employed as an Assistant Public Defender with the Fifteenth Judicial Circuit Public Defender's Office at that time. He continued in that capacity until he accepted his present job with the Attorney General's office.

action or its parties. Neither Respondent nor Mr. Axelrod objected to Mr. Ritner being relieved as second chair counsel.

Mr. Stanko also addressed the Court at its hearing on Mr. Ritner's motion. Specifically, the Applicant raised concerns about the continued prosecution of this PCR action by the Respondent given Mr. Ritner's employment with the Attorney General's office and requested that an independent prosecution be appointed.³

III. DISCUSSION

South Carolina Rules of Professional Conduct 1.7, 1.9, and 1.11 address the various issues that arise when a lawyer acts as an attorney for one client while at the same time possessing conflicting duties owed to a present or past client or situations where the position of one client is adverse to that of another past or present client. Each of these issues is present here.

Even in the event that all parties consented to the status quo arrangement, the fact remains that if Mr. Ritner is compelled to proceed, he would have an indisputable conflict because he is in a "situation inherently conducive to divided loyalties." *State v. Gregory*, 364 S.C. 150, 153, 612 S.E.2d 449, 450 (2005) (quoting *Duncan v. State*, 281 S.C. 435, 438, 315 S.E.2d 809, 811 (1984)). Mr. Ritner's employment with the Attorney General's office has given rise to a non-waivable conflict of interest. Indeed, the Court cannot envision a situation where two clients' interests are more directly adverse than are present here – one client, the State of South Carolina, seeks to impose the death sentence on the other, Mr. Stanko. Thus, after consideration of the South Carolina Rules of Professional Conduct, particularly the rules listed above, the Court finds that Mr. Ritner is inextricably conflicted with the matter at hand and appointment of a new second chair collateral counsel to represent the Applicant is the only feasible remedy to avoid an impermissible and non-waivable conflict of interest. This Court does not perceive, however, that the removal of the Attorney General's office from this case, and the appointment of a special

³ At the hearing, the Court indicated that it would take Mr. Stanko's request under advisement and agreed to review any briefs the parties wished to submit to the Court on this issue. Subsequent to the hearing, however, the Court was informed that Mr. Axelrod would not be submitting a brief on this issue due to his belief that the motion has no basis in law. Therefore, the Court will decline to grant Mr. Stanko's request given the length of the pending PCR action, the resources and expenses already invested by the State, and the State's interest in prosecuting this matter.

prosecutor, is necessary or warranted under the circumstances. This is because the connection of Mr. Ritner to this case has been minimal, Messrs. Ritner and Mabry who are employed within different sections of the Attorney General's office have agreed not to discuss any aspect of this case, and notions of legal and judicial economy as well as efficient use of state resources would be offended thereby.

Mr. Ritner is hereby relieved from representation of the Applicant in any further proceedings and is cautioned to continue to maintain prudent safeguards to avoid any connection to the case either as former private counsel to Applicant or as a serving Assistant Attorney General. Likewise, Mr. Anthony Mabry, counsel for Respondent, is also ordered to avoid discussions with Mr. Ritner concerning any and all aspects of the Applicant's current PCR action.⁴

At the January 23, 2013 hearing, the Court also requested that Mr. Axelrod advise the Court within fourteen days as to whom he would potentially request to serve as second chair collateral counsel on this matter given Mr. Ritner's motion to be relieved. Mr. Axelrod has proposed the appointment of Bobby G. Frederick to serve as second chair collateral counsel in this case. Since that time, the Court has considered the qualifications of Mr. Frederick to serve as second chair collateral counsel. Mr. Frederick has been an active member of the South Carolina Bar since 2004 and has limited the majority of his private practice to criminal defense. During his time in private practice, Mr. Frederick has been retained and/or appointed on various cases involving violent crimes and PCR actions. Moreover, the Court is advised that Applicant Stanko consents to the appointment of Mr. Frederick. Given the Court's decision to grant Mr.

JB
H

⁴ At the hearing on Mr. Ritner's motion, the Court inquired into whether there had been any conversations between Mr. Ritner and Mr. Mabry concerning any aspect of the Applicant's PCR action. Both affirmed that there had been no such conversations. However, since that time, Mr. Mabry has voluntarily disclosed to the Court that there was a comment made by Mr. Ritner to Mr. Mabry during a short phone conversation between the two. Specifically, Mr. Ritner had made a general statement that the Applicant in his PCR action will claim that the State's experts at his trial below had made false statements. The Court notes that Mr. Mabry's failure to disclose this at the hearing was inadvertent. Further, the Court finds there was no harm caused by this statement considering that counsel for the Applicant himself disclosed that information at the hearing on January 23, 2013 before the Court and opposing counsel. But, the Court will again, given the interests at stake in this action, require that Mr. Mabry and Mr. Ritner refrain from discussing any and all aspects of the Applicant's PCR.

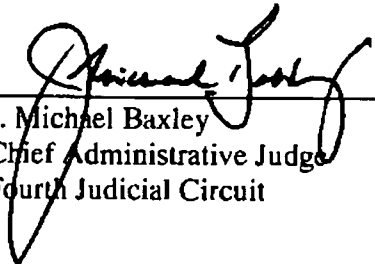
Ritner's motion to be relieved and the qualifications of Mr. Frederick, the Court finds it appropriate to appoint Mr. Frederick as second chair collateral counsel.

THEREFORE, IT IS HEREBY ORDERED that J. Andrew Ritner is hereby relieved as second chair collateral counsel for the Applicant, Stephen C. Stanko. It is further ordered that in Mr. Ritner's place, the following be appointed as second chair collateral counsel to the Applicant in this state post-conviction relief matter:

Bobby G. Frederick, Esquire
Frederick Law Office
P.O. Box 8219
Myrtle Beach, SC 29578

This Order in no way alters the appointment of first chair collateral counsel, Stuart Axelrod, who shall remain in his capacity as first chair collateral counsel.

IT IS SO ORDERED this 22nd day of April, 2013.



J. Michael Baxley
Chief Administrative Judge
Fourth Judicial Circuit

Hartsville, South Carolina

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GEORGETOWN)
)
 STEPHEN C. STANKO, #6022)
 Plaintiff,)
 vs.)
)
 STATE OF SOUTH CAROLINA)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 15TH JUDICIAL CIRCUIT

CASE NO.: 2008-CP-22-1446

**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

Plaintiff's Attorney: Stuart Axelrod, Esq., Bar No. _____ Address: 604 16th Ave N, Myrtle Beach, SC 29577 Phone: 843-916-9300 Fax (843) 916.9311 E-mail: Stuart@GotAxelrod.com Other: _____	Defendant's Attorney: J Anthony Mabry, Bar No. _____ Address: PO Box 11549, Columbia, SC 29211 Phone: 803-734-6305 Fax 803-734-4035 E-mail: AMabry@SCAG.GOV Other: _____																
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input checked="" type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)																	
SECTION I: Hearing Information																	
Nature of Motion: _____ Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES / <input type="checkbox"/> NO																	
SECTION II: Motion/Order Type																	
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.																	
Signature of Attorney for <input checked="" type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant _____ Date submitted _____																	
SECTION III: Motion Fee																	
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input checked="" type="checkbox"/> EXEMPT: (check reason) <table style="width:100%; border: none;"> <tr> <td style="width: 25%;"><input type="checkbox"/> Rule to Show Cause in Child or Spousal Support</td> <td><input type="checkbox"/> State Agency v. Indigent Party</td> </tr> <tr> <td><input type="checkbox"/> Domestic Abuse or Abuse and Neglect</td> <td><input checked="" type="checkbox"/> Post-Conviction Relief</td> </tr> <tr> <td><input type="checkbox"/> Indigent Status</td> <td><input type="checkbox"/> Motion for Stay in Bankruptcy</td> </tr> <tr> <td><input type="checkbox"/> Sexually Violent Predator Act</td> <td><input type="checkbox"/> Motion for Execution (Rule 69, SCRPC)</td> </tr> <tr> <td><input type="checkbox"/> Motion for Publication</td> <td><input type="checkbox"/> Proposed order submitted at request of the court; or,</td> </tr> <tr> <td><input type="checkbox"/> Proposed order submitted at request of the court; or,</td> <td>reduced to writing from motion made in open court per judge's instructions</td> </tr> <tr> <td colspan="2">Name of Court Reporter: _____</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Other: _____</td> </tr> </table>		<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support	<input type="checkbox"/> State Agency v. Indigent Party	<input type="checkbox"/> Domestic Abuse or Abuse and Neglect	<input checked="" type="checkbox"/> Post-Conviction Relief	<input type="checkbox"/> Indigent Status	<input type="checkbox"/> Motion for Stay in Bankruptcy	<input type="checkbox"/> Sexually Violent Predator Act	<input type="checkbox"/> Motion for Execution (Rule 69, SCRPC)	<input type="checkbox"/> Motion for Publication	<input type="checkbox"/> Proposed order submitted at request of the court; or,	<input type="checkbox"/> Proposed order submitted at request of the court; or,	reduced to writing from motion made in open court per judge's instructions	Name of Court Reporter: _____		<input type="checkbox"/> Other: _____	
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CLERK'S VERIFICATION																	
Collected by: <u>JL</u> Date Filed: <u>10/25/12</u> <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <i>no money collected</i> <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____																	

FILED
 GEORGETOWN COUNTY, S.C.
 2012 OCT 25 PM 3:30
 ALMA Y. [unclear]
 CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
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 COUNTY OF GEORGETOWN)
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 STEPHEN C. STANKO, #6022,)
)
)
 Plaintiff,)
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 v.)
)
)
 STATE OF SOUTH CAROLINA,)
)
)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT

2008-CP-22-1446

FILED
 GEORGETOWN COUNTY, S.C.
 2012 OCT 25 PM 3:30
 ALMA Y. JONES
 CLERK OF COURT

**MOTION TO RELIEVE ASSISTANT ATTORNEY GENERAL ANDREW RITNER FROM
 PRIOR APPOINTMENT BY THE COURT TO REPRESENT PLAINTIFF**

Stephen Stanko (Stanko) was convicted of Murder, Kidnapping (2 counts), Assault and Battery with Intent to Kill, Criminal Sexual Conduct in the 1st Degree, and Armed Robbery on August 18, 2006 by the State of South Carolina. He filed the present Post Conviction Relief (PCR) case on December 8, 2008, challenging his conviction. The State of South Carolina, through the Office of the Attorney General is a party to the above-referenced suit, and takes position opposite to that of Stanko.

I, J. Andrew Ritner, was appointed second-chair PCR Counsel for Stanko shortly after December 8, 2009. Subsequently, the primary attorney was relieved in favor of Mr. Axelrod. Recently, (October 1, 2012) I have accepted appointment as an Assistant Attorney General for the State

of South Carolina, where I have been assigned to prosecute criminal cases. The prior appointment by the Court, made several years ago under substantially different circumstances, now poses ethical quandary for me in my new capacity. My sole client is now the State of South Carolina, which through another section in the Attorney General's office seeks to uphold Stanko's capital conviction at issue in his PCR.

Even in the event that all parties consented to the status quo arrangement (a government lawyer presumably remaining as private party counsel while that lawyer's employer has the purpose of upholding that client's conviction and death sentence), the fact remains that I, if compelled to proceed, have an indisputable conflict because I am in a "situation inherently conducive to divided loyalties." State v. Gregory, 364 S.C. 150. Appointment of new counsel to represent Mr. Stanko is the only remedy that I can surmise to avoid impermissible and unwaivable conflict.

South Carolina Rules of Professional Conduct 1.7¹, 1.9², and 1.11³, address various issues that arise when a lawyer acts as an Attorney for one client, while possessing conflicting duties owed another

¹ Rule 1.7 Conflict of Interest: Current Clients

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if: (1) the representation of one client will be directly adverse to another client; or (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if: (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client; (2) the representation is not prohibited by law; (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and (4) each affected client gives informed consent, confirmed in writing.

² Rule 1.9 Duties to Former Clients

(a) A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.

present or past client; or situations when the position of one client is adverse to that of another past or current client. Each of these issues are presently at hand. I have sought informed consent waivers from neither Mr. Stanko nor the Attorney General at this time. Further, as a condition of employment by the Attorney General, I am prohibited from representing private clients, and the office will decline any informed consent waiver to the contrary.

(b) A lawyer shall not knowingly represent a person in the same or a substantially related matter in which a firm with which the lawyer formerly was associated had previously represented a client (1) whose interests are materially adverse to that person; and (2) about whom the lawyer had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter; unless the former client gives informed consent, confirmed in writing.

(c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter: (1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or (2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.

3 Rule 1.11 Special Conflicts of Interest for Former and Current Government Officers and Employees

(a) Except as law may otherwise expressly permit, a lawyer who has formerly served as a public officer or employee of the government: (1) is subject to Rule 1.9(c); and (2) shall not otherwise represent a client in connection with a matter in which the lawyer participated personally and substantially as a public officer or employee, unless the appropriate government agency gives its informed consent, confirmed in writing, to the representation.

(b) When a lawyer is disqualified from representation under paragraph (a), no lawyer in a firm with which that lawyer is associated may knowingly undertake or continue representation in such a matter unless: (1) the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and (2) written notice is promptly given to the appropriate government agency to enable it to ascertain compliance with the provisions of this rule.

(c) Except as law may otherwise expressly permit, a lawyer having information that the lawyer knows is confidential government information about a person acquired when the lawyer was a public officer or employee, may not represent a private client whose interests are adverse to that person in a matter in which the information could be used to the material disadvantage of that person. As used in this Rule, the term "confidential government information" means information that has been obtained under governmental authority and which, at the time this Rule is applied, the government is prohibited by law from disclosing to the public or has a legal privilege not to disclose and which is not otherwise available to the public. A firm with which that lawyer is associated may undertake or continue representation in the matter only if the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom.

(d) Except as law may otherwise expressly permit, a lawyer currently serving as a public officer or employee: (1) is subject to Rules 1.7 and 1.9; and (2) shall not: (i) participate in a matter in which the lawyer participated personally and substantially while in private practice or nongovernmental employment, unless the appropriate government agency gives its informed consent, confirmed in writing; or (ii) negotiate for private employment with any person who is involved as a party or as lawyer for a party in a matter in which the lawyer is participating personally and substantially, except that a lawyer serving as a law clerk to a judge, other adjudicative officer or arbitrator may negotiate for private employment as permitted by Rule 1.12(b) and subject to the conditions stated in Rule 1.12(b).

(e) As used in this Rule, the term "matter" includes: (1) any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties, and (2) any other matter covered by the conflict of interest rules of the appropriate government agency.

In his direct appeal from his second capital conviction, which was argued before the South Carolina Supreme Court very recently, Stanko asserted that he is entitled to a new trial because his trial lawyer, William Diggs, had an actual conflict due to the fact that Stanko had filed this very PCR action against him. Stanko pursued this claim in his appeal after multiple colloquies at the second trial in which both Stanko and Diggs denied any conflict and stated they wished to proceed. Similarly, even assuming there are extensive colloquies on the current representation issue before this Court, it is likely that if Stanko does not prevail in this PCR he will be able to raise my conflicted representation as an issue throughout the PCR appeal proceedings, in a subsequent PCR action, and in federal habeas corpus. I do not believe it is disloyal to a client to assist the Court in avoiding a foreseeable procedural quagmire.

After careful consideration of the South Carolina Rules of Professional Conduct, particularly rules 1.7, 1.9, 1.11, 3.1⁴, and 6.2(a)⁵, I am inextricably conflicted with the matter at hand. One cannot have clients with interests more directly adverse than to have one client (the State of South Carolina) who seeks to impose a death sentence on another client (Stanko). Therefore, I respectfully

⁴ **Rule 3.1 Meritorious Claims and Contentions**

A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may nevertheless so defend the proceeding as to require that every element of the case be established.

⁵ **Rule 6.2 Accepting Appointments**

A lawyer shall not seek to avoid appointment by a tribunal to represent a person except for good cause, such as:

(a) representing the client is likely to result in violation of the Rules of Professional Conduct or other law.

request that the Court appoint a new second-chair attorney, and that I be relieved from representation of Mr. Stanko in any further proceedings.

Respectfully Submitted,



J. ANDREW RITNER, ESQ

108 Redington Way
Irmo, SC 29063

10/22, 2012