

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM CHESTERFIELD COUNTY

OCT 26 2017

Honorable Paul M. Burch Circuit Court Judge S.C. SUPREME COURT

Case No. 2009-CP-13-00323

Appellate Case No. 2016-002231

Oscar Fortune,Petitioner,
v.
State of South Carolina.Respondent.

MOTION TO SUBSTITUTE COUNSEL

The undersigned, Elizabeth A. Franklin-Best, respectfully motions this Court for an Order Substituting Counsel for the South Carolina Commission on Indigent Defense, Appellate Division. Counsel is aware of the procedural history of this case and that there is a pending motion by the Office of Appellate Defense to file an amended petition for writ of certiorari. Counsel is also aware that Respondent has not filed any Response at this point. Undersigned counsel is fully aware that this case has been pending on the Court's docket, and will expeditiously complete a petition for writ of certiorari if this Court grants this motion. Counsel has conferred with Jessica Kinard of the Attorney General's Office, and she is not opposed to this motion. Counsel is submitting this request on behalf of Mr. Fortune who consents to the motion.

Respectfully submitted,



Elizabeth A. Franklin-Best
Blume Franklin-Best & Young, LLC
900 Elmwood Avenue, Ste. 200
Columbia, South Carolina 29201
(803) 765-1044

cc: Robert Dudek, Office of Indigent Defense
Jessica Kinard, Office of the Attorney General
Oscar Fortune, SCDC #314269

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHESTERFIELD COUNTY

Honorable Paul M. Burch, Circuit Court Judge

Case No. 09-CP-13-00905
Appellate Case No. 2016-002231

Oscar Fourtune, Petitioner,

v.

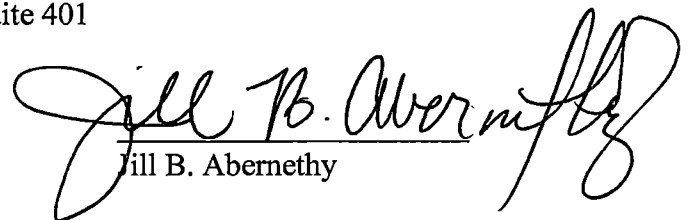
State of South Carolina, Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Petitioner's Motion to Substitute Counsel was served by first class United States mail, postage prepaid, this 24th day of October, 2017, upon the following:

Jessica Kindard
Assistant Attorney General
P.O. Box 11549
Columbia, SC 29211

Robert Dudek, Esquire
S.C. Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, SC 29201


Jill B. Abernethy

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S.C. SUPREME COURT

BLUME FRANKLIN-BEST & YOUNG, LLC

ATTORNEYS AT LAW

JOHN H. BLUME
ELIZABETH FRANKLIN-BEST
LAURA W. YOUNG
KEIR M. WEYBLE *OF COUNSEL*
DAVID I. BRUCK *OF COUNSEL*

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PHONE: (803) 765-1044
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October 24, 2017

The Honorable Daniel E. Shearouse
Clerk
South Carolina Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

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S.C. SUPREME COURT

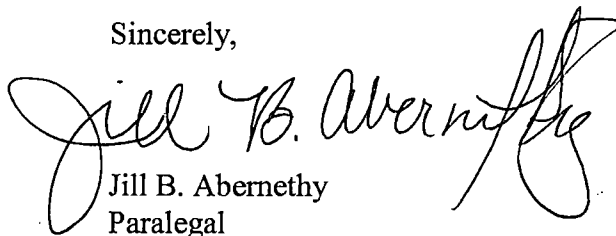
RE: *Oscar Fortune v. State of South Carolina*
2016-002231

Dear Mr. Shearouse:

Please find enclosed for filing, the original un-bound copy and seven additional copies of the Petitioner's Motion for Substitution of Counsel, along with certificate of service, in regards to the above captioned case. Please clock-in the additional copy and return it to me in the enclosed self-addressed stamped envelope.

If you should have any questions, please do not hesitate to contact me.

Sincerely,


Jill B. Abernethy
Paralegal

Enclosure

cc: Robert Dudek, Esq.
Jessica Kinard, Esq.
Oscar Fortune