

# Office of the Public Defender

First Judicial Circuit

107 W. 6th North Street  
Suite 100  
Summerville, SC 29483  
(843) 821-9800  
FAX (843) 871-0523

5200 East Jim Bilton Boulevard  
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372 St. Paul Street  
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PO Box 1112  
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716 Huff Drive  
St. Matthews, SC 29135  
(803) 874-2100  
FAX (803) 874-2400

January 16, 2018

**RECEIVED**  
JAN 24 2018  
SC Court of Appeals

Kirkland Reception and Evaluation Center  
Attention: Shelly Faulling, Inmate  
SCDC ID#: 00197178  
4344 Broad River Road  
Columbia, SC 29210

**Re: State v. Shelly Thomas Faulling**

Charge(s): Distribution, etc. of methamphetamine, 3rd or sub. (2 Counts);  
Failure to stop for a blue light, no injury or death - 1st offense  
Warrant/Ticket No(s): 2017A3810700044; 2017A3810700093; 2017A3810700094

Dear Mr. Faulling:

This letter is to inform you of the status of my capacity to assist you. As you know, as I walked into the courtroom at the very end of your appearance on Thursday, January 11, 2018 before the Honorable Edgar Dickson, the judge indicated the court would like me to review post-plea/post-trial filings - such as a notice of appeal - that are apparently being drafted for you by the assistant solicitor on your case. It has come to my attention that not only has the Orangeburg County Public Defender's Office been conflicted off of your case due to conflicts of interest, but also you have elected to proceed *pro se*. As a result, both the Deputy Public Defender for Orangeburg County and the Circuit Defender for the First Judicial Circuit have directed me that I may not assist in any manner for the aforementioned reasons. Please also be aware that I have informed the court of the same.

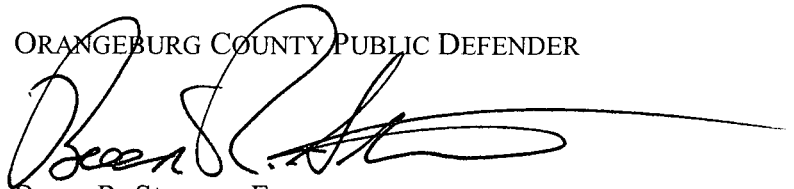
Mr. Faulling, I am very sorry that I cannot assist you. However, I do strongly recommend that you immediately seek legal counsel regarding your post-trial/post-plea filings; whether you wish to serve and file motions for reconsideration, or notices of appeal, it would behoove you to seek the input of a legally trained professional without any conflicts of interest. Accordingly, I have enclosed a list of attorneys in Orangeburg County that may be able to help you.

Additionally, I must inform you that time is of the essence due to very real jurisdictional time frames attached to filing such documents—whatever you choose to file must be served and filed within ten (10) days of sentencing. As such, in the event you choose to file a Notice of Appeal of your convictions and sentences (rather than first moving to reconsider your sentences) yourself, I have also enclosed copies of several Appellate Court Forms posted on the South Carolina Judicial Department website pertaining to filing and service of Notices of Appeal, as well as an affidavit of indigency form used by Appellate Defense.

Mr. Faulling, I am very sorry I cannot assist you with your case. I truly wish you the very best going forward.

Sincerely,

ORANGEBURG COUNTY PUBLIC DEFENDER

A handwritten signature in black ink, appearing to read "Breen R. Stevens", with a long horizontal flourish extending to the right.

Breen R. Stevens, Esq.  
Assistant Public Defender

BRS/ldk

Enclosure: Reference List;  
Form 4 (Notice of Appeal);  
Form 7 (Proof of Service of a Notice of Appeal);  
Form 8 (Letter to Appellate Court Clerk);  
Form 9 (Letter to Clerk of Lower Court);  
Affidavit of Indigency;  
Letter to Judge Dickson

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January 16, 2018

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JAN 24 2018  
SC Court of Appeals

The Honorable Edgar W. Dickson  
Judge of First Judicial Circuit  
P.O. Box 1949  
Orangeburg, SC 29116-1949

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Re: *State v. Shelly Thomas Faulling*

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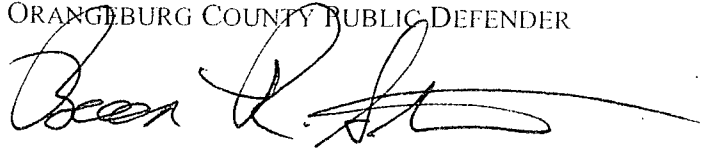
Dear Judge Dickson:

This letter is to inform you of the status of my capacity to assist Mr. Shelly Faulling. As you know, when I walked into the courtroom at the very end of Mr. Faulling's appearance on Thursday, January 11, 2018, you indicated that the court would like me to review post-plea/post-trial filings, such as a notice of appeal, that are being drafted for Mr. Faulling by the assistant solicitor. Although I was not officially appointed to represent Mr. Faulling, it has come to my attention that not only has the Orangeburg County Public Defender's Office been conflicted off of Mr. Faulling's case due to actual conflicts of interest, but also Mr. Faulling elected to proceed *pro se*. As a result, both the Deputy Public Defender for Orangeburg County, and the Circuit Defender for the First Judicial Circuit have specifically directed me that I may not assist Mr. Faulling in any manner for the aforementioned reasons.

Judge Dickson, I am very sorry that I cannot assist Mr. Faulling with his case. If the court still has concerns regarding Mr. Faulling's ability to properly serve and file any post-trial/post-plea motions for reconsideration or notices of appeal, and if Mr. Faulling has not retained private counsel to handle the matter, then I respectfully submit that appointment of an attorney from the conflict list for Orangeburg County may be appropriate for the limited purpose of drafting, serving, and filing any post-trial/post-plea documents. If I can be of any further assistance in any other matter, please do not hesitate to contact my office at your convenience.

Sincerely,

ORANGEBURG COUNTY PUBLIC DEFENDER

A handwritten signature in black ink, appearing to read "Breen R. Stevens", with a long horizontal flourish extending to the right.

Breen R. Stevens, Esq.  
Assistant Public Defender

BRS/ldk

cc: Ashley Cornwell, Solicitor

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