

STATE OF SOUTH CAROLINA)
)
 COUNTY OF MARLBORO)
)
 State of South Carolina,)
)
 Plaintiff,)
)
 -versus-)
)
 Theodore Glover,)
)
 Defendant.)

IN THE SUMMARY COURT
 OF THE FOURTH JUDICIAL CIRCUIT
 INDICTMENT NUMBER: 2017-GS-34191

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 FEB 05 2018
 SC Court of Appeals

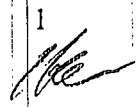
A CERTIFIED TRUE COPY
 ORDER
 (RELIEVING COUNSEL)

Anda M. Williams
 CLERK OF COURT
 MARLBORO COUNTY

This matter is before the Court on January 3rd, 2018, upon duly filed and served Motion of the attorneys for Theodore Glover to be relieved as Counsel. This is being heard just prior to a Motion for Reconsideration filed on behalf of Theodore Glover.

Mr. Glover appeared before this Court on December 12, 2017, and at that time entered an *Alford* plea to Criminal Sexual Conduct, First Degree; he was subsequently sentenced to ten years in prison, which was suspended to five years in prison with five years on probation. During his plea, he was represented by Delton W. Powers, Jr., of the Marlboro County Bar, and T. Kirk Truslow of the Horry County Bar. The attorneys filed a written plea affidavit, and, in that affidavit, certified to the Court that the Defendant entered into this plea knowingly, voluntarily, and without any undue duress, and that Mr. Glover fully understood the effect of the plea.

With the basis of his Motion for Reconsideration being that he misunderstood that his plea would be considered pleading guilty, there is obviously no way that the counsel of record could argue this Motion on behalf of Mr. Glover after having certified to the Court his understanding of the plea. Further, it is determined that neither attorney was hired beyond the initial trial or plea in this case and should have no responsibility for an appeal of an *Alford* plea

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that by their signatures they certified. The Court finds that it would be proper to grant the Motion to be relieved as counsel.

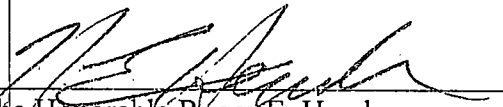
Further, granting this Motion allows for Mr. Glover's appellate rights to be protected by the Office of Indigent Defense and the Court finds that they are to be notified immediately that he may need counsel for the purposes of an appeal.

Lastly, the Court finds that Mr. Glover understands this conflict due the adversarial position the counsel would be placed in and agrees that counsel should be relieved.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED:

1. That Delton W. Powers, Jr., and T. Kirk Truslow are hereby relieved as counsel for the Defendant Theodore Glover; and,
2. That Defendant Theodore Glover, as an incarcerated inmate, would qualify for the services offered by the Office of Indigent Defense; SCOID should be notified immediately that Defendant Glover may need counsel to assist him in the appeal of his plea.

AND IT IS SO ORDERED!


The Honorable Roger E. Henderson
Circuit Court Judge, 4th Judicial Circuit

January 19th, 2018

Chesterfield, South Carolina

FILED
2018 FEB -7 A 9:48
APRIL M. HENDERSON
CIRCUIT COURT
HARTFORD COUNTY, S.C.



Powers Law Firm

February 1, 2018

The Honorable William B. Rogers
Solicitor of the Fourth Judicial Circuit
Post Office Box 616
Bennettsville, South Carolina 29512

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Re: State of South Carolina vs. Theodore Glover
INDICTMENT Nos.: 2017GS3400191

Dear Will:

Enclosed please find the Order (relieving counsel) and Order (denying reconsideration) signed by Judge Henderson and filed with the Marlboro County Clerk of Court.

I anticipate that Mr. Glover will be filing an appeal. I am copying this letter, with the enclosures, to the Court of Appeals and to the South Carolina Office of Indigent Defense.

With kindest regards, I am,

Yours truly,

Delton W. Powers, Jr.

DWP, JR/cmr

Enclosure

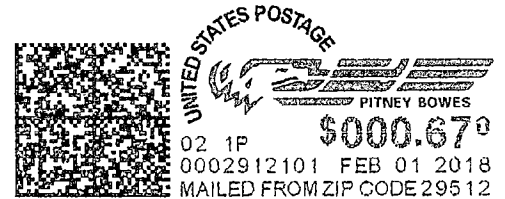
cc: Theodore Glover



Powers Law Firm

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Jenny Abbot Kitchings, Esquire
Clerk, South Carolina Court of Appeals
1015 Sumter Street- 5th Floor
Columbia, South Carolina 29201

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