

THE STATE OF South Carolina
In THE South Carolina Court OF Appeals

Appeal From Sumter County
Court of General Sessions
D. Craig Brown
Case No. 2016-002217

The State of South Carolina
Muttagin Fatir Abdullah

RECEIVED

MAY 25 2018

SC Court of Appeals

V.

Respondent
Appellant

Date: 5/21/2018

Motion To have Appellant Counsel
Recused From above case

On the date of October 17, 2016 Appellant represented himself in a 5 day trial by jury, and was found guilty on the date of October 21, 2016. Appellant filed his notice of appeal to the South Carolina Supreme Court, and a request to the state to

produce his trial transcript, all within 10 days from the date of his conviction at the Reevaluation Center, in Columbia, South Carolina.

However, Appellant did not received his Trial Transcript until April 25, 2018 at Perry Correction Institution by Appellant Counsel, LaNelle Durant.

In the first two months after the state conviction, the appellant had produce all four grounds, arguments, and exhibits to The South Carolina Court of Appeals at the Reevaluation Center.

In the process of the appellants appeal, The S.C. Supreme Court could not make any rulings without the Trial Transcript. Therefore, the Appellant was force to file for appointment of counsel to force the appeals court to mandate the Trial Transcript to

the appellant. If the state was not in violation of Rule 31, and Rule 35, to produce the Trial Transcript at the appropriate time, the appellant would have never had to file for appointment of counsel.

Rule 31.

A. Notice of Appeal and Request for Transcript. The decision of the administrative law Judge may be appealed as provided by law. An Appellant shall request the preparation of the transcript of the proceedings and file a copy of the notice of appeal with the clerk of the Division at the same time the notice of appeal is filed with the reviewing authority. The transcript shall be ordered within ten days after the date of the service of the notice of appeal, and, unless otherwise agreed by all parties in writing, the appellant must order the entire transcript.

Now that the appellant has access to the Transcript, the appellant can direct the appeals court to what pages to review on the Trial Transcript, for all Pretrial Motions, and objections on record. The Appellant don't feel comfortable with appellant counsel, because Mrs. Durant is unfamiliar with the dilemma, and details of this case.

This case is too complicated, and complex for a counsel that's naive, unfamiliar, and lack of apathy to proceed with a highly sophisticated case like the appellants. See: files, and evidence that the appellant has already presented you with.

The appeals court would probably agree with the appellant that this case is a malicious, vindictive, and unconstitutional conviction.

Since the appellant has laid the foundation of his state trial, and direct appeal, it would be wise for the appellant to proceed as a Pro Se Litigant.

Please allow Appellant Counsel to withdraw from this case, and turn the Trial Transcript over to the appeals court, so that the appellant can proceed on with his appeal.

I declare under penalty of perjury that the foregoing is true and correct, executed on the date of May 21, 2018.

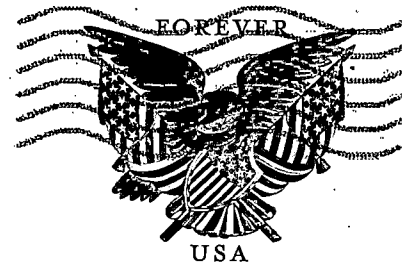
Signature: Muttazim Abdulkh

Respectfully Submitted
Muttazim Abdulkh

Muttaqin Fatir Abdullah
#225996 Q-3 204
Perry Correctional Institution
430 Oak Lawn Rd
Pelzer, South Carolina 29669

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To: Clerk of Court
South Carolina Supreme Court
1230 Gervais Street
Columbia, South Carolina 29201

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