

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Barnwell County

Honorable Edgar W. Dickson, Circuit Court Judge

RECEIVED

JAN 08 2013

S.C. Supreme Court

TERRY DAVIS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

Appellate Case No. 2012-212078

RETURN TO MOTION TO DISMISS COUNSEL
AND PROCEED PRO SE

The undersigned respectfully shows the Court:

Counsel received Mr. Davis' motion to dismiss counsel and proceed *pro se* on January 2, 2013. Counsel today became aware that Mr. Davis filed a motion in the lower court without undersigned counsel's knowledge. Please be advised that Counsel does not object to the motion as long as Mr. Davis is aware of the following dangers of self-representation, including:

1. Although Mr. Davis is not a lawyer he will be held responsible for complying with appellate court rules.

2. Although Mr. Davis is not trained in the rules of evidence, nor error preservation, his chances on appeal may be directly linked to mastery of both. Further, even though Mr. Davis is not a lawyer he nonetheless will be treated the same as an appellate attorney or Assistant Attorney General.

As long as Mr. Davis asserts he understands these dangers, I do not object to his motion to dismiss undersigned counsel and proceed *pro se*.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

This 8th day of January, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Barnwell County
Honorable Edgar W. Dickson, Circuit Court Judge

TERRY DAVIS,

PETITIONER,

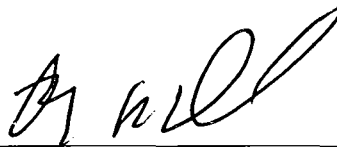
V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Return to Motion to Dismiss Counsel and Proceed Pro Se in the above referenced case has been served upon opposing counsel, Megan Harrigan, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and Terry Davis, #197349 at Ridgeland Correctional Institution this 8th day of January, 2013.



Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me
this 8th day of January, 2013.


_____(L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

January 8, 2013

RECEIVED

JAN 08 2013

The Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
PO Box 11330
Columbia, SC 29211

S.C. Supreme Court

Re: Terry Davis v. State of South Carolina
Appellate Case No. 2012-212078

Dear Mr. Shearouse:

Enclosed are an original and six copies of the Return to the Motion to Dismiss Counsel and Proceed Pro Se in the above-captioned case. Thank you for your assistance in this matter.

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD/kam

Enclosure

cc: Megan Harrigan, Esquire
Mr. Terry Davis, #197349