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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

July 3, 2018

Mr. Thurmond Brooker, Esquire  
Brooker Law Firm  
PO Box 1450  
Florence, SC 29503-1450

Re: The State v. Ernest Floyd Jackson II - Appellate Case No. 2018-000649

Dear Mr. Brooker:

We have received the Court of Appeals of July 2, 2018 for the above-captioned case, and you are listed as counsel for Mr. Jackson.

The Court of Appeals requires this office to determine, in every criminal or post-conviction appeal, whether the appellant is represented by retained or appointed counsel, and whether the Office of Appellate Defense is to be involved in the appeal. Inasmuch as our notification does not indicate whether you were court-appointed or retained counsel in the lower court, I am writing to determine your status.

**If you were court-appointed, this Office will take over your client's representation if you wish us to do so. Please inform us immediately if you were appointed. And please furnish us with the documents requested on the list which I have enclosed. Because we cannot review your client's case and proceed with the appeal without these documents, I must ask that you furnish them by July 17, 2018 if you wish this Office to assume representation on appeal. We will give you no further notice of this deadline.**

If you were retained counsel at the trial, and your client is now indigent, the client may qualify for the services of this office only pursuant to the terms of South Carolina Appellate Court Rule 602(E). I have enclosed an affidavit of indigency. **Please have your client complete all questions on the affidavit and have it notarized and returned to us by July 17, 2018** so that we may review it before the deadline to request the transcript from the court reporter. If we determine the client is indigent, we will handle the appeal, subject to Rule 602(e)(4), SCACR. However, if you are unable to return the affidavit to us by this deadline, it will be necessary for you to request an extension to order the transcript.

Mr. Thurmond Brooker, Esquire  
July 3, 2018  
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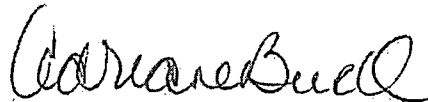
Please note that under no circumstances can this Office compensate private counsel for costs of transcripts or printing, which have been incurred by counsel. Any transcripts or printing must be ordered by this Office if we are to pay for them.

If you are retained and are planning to pursue this appeal on your own, I would be most appreciative if you would so notify me immediately so that we may close our file in this case.

If you have any questions, or need additional information, please do not hesitate to contact me at the above address or telephone number.

I look forward to hearing from you and thank you for your kind assistance in this matter.

Sincerely,



Adriane Burk  
Legal Services Coordinator

Enclosures

cc: S. C. Court of Appeals



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July 3, 2018

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JUL 03 2018

SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
PO Box 11629  
Columbia, SC 29211

Re: The State v. Ernest Floyd Jackson II - Appellate Case No. 2018-000649

Dear Ms. Kitchings:

We received a copy of the letter to Thurmond Brooker, Esquire informing him that the time to order the transcript had expired. Our office did not receive notice that an appeal was filed in this case. We are contacting Thurmond Brooker, Esquire today to determine whether he was retained or appointed. We are also sending him an an Affidavit of Indigency for Mr. Jackson to execute in the event Mr. Brooker was retained.

Please do not hesitate to contact me if you any concerns or questions.

Sincerely,

Adriane Burk  
Legal Services Coordinator

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Enclosure