

**Sixth Circuit Public Defender's Office
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July 27, 2018

Hon. V. Claire Allen
Deputy Clerk of the SC Court of Appeals
P.O.Box 11629
Columbia, SC 29211

Hon. Judy Bonds
Clerk of Court for Fairfield County
P.O. Drawer 299
Winnsboro, SC 29180

Randy E. Newman, Jr.
Sixth Circuit Solicitor
P.O. Box 607
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Robert M Dudek, Esquire
Office of Appellate Defense
1330 Lady Street
Columbia SC 29201

John Benjamin Aplin, Esquire
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

Re: State vs. Malik Al-Shabazz, Appellate Case 2018-001095

Dear Friends:

As you know, I represented Mr. Al-Shabazz for his No Contest plea to the reduced charge of Domestic Violence, third degree, on May 30 of this year. Mr. Shabazz has filed several Pro Se motions in this matter, to wit, A Motion to Reconsider, A Notice

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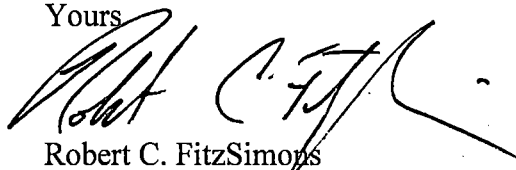
of Appeal, and a Motion for Stay. He has been advised, first by Judge Russo (with reference to the Motion to Reconsider) and by the Court of Appeals (with reference to the Motion for Stay) that his Pro Se motions will not be heard.

Although I have spoken with Mr. Al-Shabazz with regard to his discovery materials, he did not consult me regarding the Motion for Stay. I do not know what he wished to stay and I am not aware of any grounds or any reason, strategic or procedural, for such a motion in this case. Mr. Al-Shabazz completed his sentence on June 4 of this year.

Mr. Al-Shabazz mailed both his Motion to Reconsider and his Notice of Intent to Appeal at the same time. I believe his intent was to file the Motion to Reconsider first and I am asking the court to treat it as filed prior to his Notice of Intent to Appeal. I have filed a new Motion to Reconsider, a copy of which has been sent to Judge Russo. I do not know if he will require oral argument before he rules.

Judge Russo will be in the Sixth Circuit holding court in Chester the week of August 6. While I will be away on vacation, he may choose to hear from my colleague, William Frick, during that week, or he may wish to make other arrangements.

Yours

A handwritten signature in black ink, appearing to read 'Robert C. FitzSimons', written over a horizontal line.

Robert C. FitzSimons
Assistant Public Defender

Public Defender's Office
Sixth Judicial Circuit
P.O. Box 637
Winnsboro, S.C. 29180

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