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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

December 27, 2018

ORIGINAL

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

Re: Ayree Henderson v. State of South Carolina  
Appellate Case No. 2018-001453


Dear Mr. Shearouse:

As evidenced by the enclosed affidavit, Mr. Henderson has elected to drop his appeal. I have discussed the consequences of dropping the appeal with Mr. Henderson both verbally and in writing. Because Mr. Henderson's decision to drop his appeal is knowing, intelligent, and voluntary after thoroughly discussing the advantages and disadvantages of pursuing a direct appeal, I respectfully request that the Court issue an order dismissing Mr. Henderson's appeal.

By copy of this letter, I am informing Lindsey McCallister of the Office of the Attorney General of Mr. Henderson's decision.

Thank you for your time and assistance in this matter.

Sincerely,

  
Kathrine H. Hudgins  
Appellate Defender

RECEIVED  
DEC 27 2018  
S.C. SUPREME COURT

KHH/lms

Enclosure: Affidavit

cc: Lindsey McCallister, Esquire  
Ayree Henderson

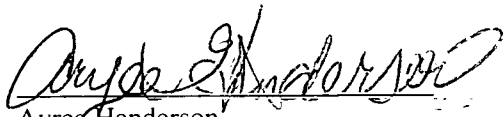
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )  
  
AYREE HENDERSON, )  
 )  
PETITIONER, )  
v. )  
THE STATE, )  
 )  
RESPONDENT. )  
\_\_\_\_\_ )

IN THE SOUTH CAROLINA SUPREME COURT

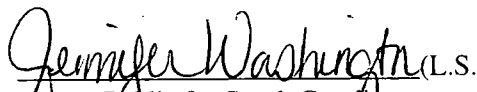
AFFIDAVIT

PERSONALLY appeared before me, Ayree Henderson, who being duly sworn, deposes and says:

1. I am the petitioner in the above captioned case.
2. I understand that I am entitled to appeal the denial of post-conviction relief, and that, because I am indigent, I am entitled to the assistance of an attorney from the South Carolina Office of Appellate Defense. I have been informed that if I drop the appeal of the denial of post-conviction relief that I forever waive those issues that could be raised.
3. In light of the risks which have been explained to me, it is my desire that the South Carolina Office of Appellate Defense drop the appeal formerly filed on my behalf.
4. I have made this decision on my own, with a full understanding of all the possible consequences of this action.
5. I do not wish to appeal.

  
Ayree Henderson

SWORN TO before me this 14<sup>th</sup>  
day of December, 2018.

  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires: March 8, 2028