

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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MAR 25 2019
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

R. Knox McMahon, Circuit Court Judge

CASE NO: 2016-001831

The State of South Carolina, Respondent.

v.

Timothy Alan Oertel..... Petitioner.

MOTION TO BE RELIEVED AS COUNSEL

The undersigned as attorney for Petitioner, Timothy Alan Oertel moves the Court to be relieved from further representation of Timothy Alan Oertel. The undersigned attorney represented the Petitioner during the trial of this case on appeal to the South Carolina Court of Appeals and then filed a Petition for Certiorari with the South Carolina Supreme Court. The undersigned attorney received a signed notice from the Petitioner which was hand delivered to the Attorney's office terminating his representation.

MEMORANDUM

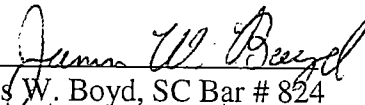
Rule of Professional Conduct 1.16 governs declining or terminating representation. Rule 1.16(a) provides that, "Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(3) the lawyer is discharged."

This Rule provides that a lawyer is obligated to withdraw from representation if the client discharges the lawyer from such representation.

The Petitioner has discharged, James W. Boyd in writing. The Petitioner's attorney is obligated to withdraw from representation pursuant to Rule 1.16(a)(3).

For the above reasons, James W. Boyd, attorney for Petitioner, moves the Court that he be relieved from further representation of the Petitioner.


James W. Boyd, SC Bar # 824
Post Office Box 36425
1544 Ebenezer Road
Rock Hill, SC 29732
(803) 328-2600

ATTORNEY FOR PETITIONER

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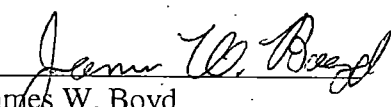
The State of South Carolina, Respondent.

v.

Timothy Alan Oertel..... Petitioner.

PROOF OF SERVICE

I, James W. Boyd, certify that I served on March 21, 2019, the within Motion to be Relieved as Counsel on Respondent by depositing a copies of the same in the United States mail, postage prepaid, addressed to South Carolina Attorney General's Office, Rembert C. Dennis Building, PO Box 11549, Columbia, SC 29211-1549 and to Petitioner, Timothy Alan Oertel SCDC# 369595, Evans Correction Inst., 610 Highway 9 West, Bennettsville, SC 29512.


James W. Boyd
1544 Ebenezer Road
Post Office Box 36425
Rock Hill, SC 29732
(803) 328-2600
Attorney for Petitioner

March 21, 2019

James W. Boyd

Attorney at Law

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Telephone (803) 328-2600

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March 20, 2019

Supreme Court of South Carolina
Mr. Daniel Shearouse, Clerk of Court
PO Box 11330
Columbia, SC 29211

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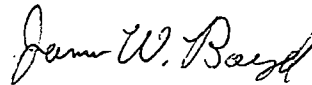
SC Court of Appeals

RE: Appeal Case No. 2016-001831

Enclosed you will find a Motion to be Relieved as Counsel concerning the above Appeal case. Thank you for your attention in this matter.

With king regards, I am

Sincerely,



James W. Boyd

JWB/klc

Enclosure

cc: South Carolina Attorney General's Office
South Carolina Appeals Court

James W. Boyd
Attorney at Law
PO Box 36425
Rock Hill, SC 29732

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

29211-162929

