

Hopkins, Debbie

From: John J. Kozelski <JKozelski@charlestoncounty.org>
Sent: Friday, May 24, 2019 12:48 PM
To: Hopkins, Debbie
Cc: Zelenka, Don; Stephanie Linder
Subject: RE: State v. Devin Johnson (App. Case No. 2019-000844)
Attachments: Letter to SCSC Clerk (5.24.19).pdf

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Debbie,

Attached is a letter addressed to Mr. Shearouse in hopes of withdrawing Mr. Johnson's appeal and remitting the case back down for our pending motion next Wednesday. Thank you for your consideration.

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MAY 24 2019
S.C. SUPREME COURT

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David P. Schwacke
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Megan S. Ehrlich
Charleston County Public Defender

May 24, 2019

Daniel Shearouse
Clerk of Court
The South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

RECEIVED

MAY 24 2019

S.C. SUPREME COURT


Re: The State v. Devin Johnson
Appellate Case No. 2019-000844
Lower Court Case No. 2011GS1005207

Dear Mr. Shearouse:

I am writing this letter regarding the correspondence that my client, Devin Johnson, wrote to the Supreme Court on May 21, 2019 following his conviction. This paperwork was construed by the Court as a notice of appeal from conviction and sentence in his case, which was not our intention. We are currently awaiting a hearing on a timely motion for a new trial scheduled for the morning of May 29, 2019. If unsuccessful in our motion, our intent will then be to file a notice of appeal within ten (10) days of the court's ruling.

We would ask that you dismiss Mr. Johnson's appeal immediately, and further, we would ask for a remittitur of the case today so that jurisdiction will transfer back to the court for our pending motion for a new trial. Please let me know if you have any questions or concerns.

Sincerely,



John J. Kozelski III
Assistant Public Defender
Attorney for Devin J. Johnson