

June 17, 2019

RECEIVED

JUN 19 2019

S.C. SUPREME COURT

Dear Mr. Shearhouse

I'm an inmate housed at Lee Correctional institution, I was found guilty in a jury trial in Abbeville County S.h. for armed robbery and possession of a firearm doing the commission of a Crime. June 10, 2015 I filed a Post Conviction relief application in the clerk of court office in Abbeville County and on June 5, 2017 I had an PCR evidential hearing, on June 16, 2017 judge Cooper signed an order dismissing my PCR application. My PCR Counsel filed for an appeal, I was appointed Kathrine H. Hudgins as my PCR appellate Counsel, on April 20, 2018 Ms. Hudgins filed an Johnson petition for writ of certiorari in the South Carolina Supreme Court of appeals, Ms. Hudgins also send me a letter telling me that the Court would write me eliciting any written memorandum I may want to submit to the Court in consideration of my appeal but, on May 17, 2019 the Court signed an order that denied my writ but, the Court didn't contact me to give me a chance to submit an written memorandum. Mr. Shearhouse I want to and need to submit the rest of my issues that I raised at my PCR evidential hearing because Ms. Hudgins only raised the potential conflict of interest. Mr. Shearhouse I have more issues I need to get on record in the South Carolina Supreme Courts of appeals so they will be preserved, so I can raise them on my application for a writ of habeas corpus in federal court. I'm including the letter Ms. Hudgins sent me and a copy of the order from the supreme court. And if you can would you have my PCR evidential hearing original synopsis reviewed cause when I received a copy of my PCR transcript, I noticed the closing lines of my PCR transcript

have been changed and lines missing, page 29 I think from lines 18 through 25 something has been changed, but I know that on page 30 lines 1 through 5 has been changed and something missing. Please help me or point me in the right direction. Even criminal defendants have rights.

Thank you very kindly,
Dwayne Starks



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

April 20, 2018

Mr. Dwayne Eddie Starks, #253926
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, SC 29010

Re: Your appeal

Dear Mr. Starks:

Enclosed please find a copy of the Johnson Petition for Writ of Certiorari and a copy of the Appendix in your case, which I have filed with the South Carolina Supreme Court. The Court will write to you in the future eliciting any **written memorandum** you may want to submit for the Court's consideration of your appeal. That memorandum should be sent to the Supreme Court, and **not to me**. Please understand that the State does **not file a return** when a Johnson petition is filed. The petition to be relieved is a standard part of the Johnson procedure, it does not mean that I do not wish to represent you.

Please contact me if you have any questions.

Sincerely,

Kathrine H. Hudgins
Appellate Defender

KHH/lS

Enclosure

The Supreme Court of South Carolina

Dwayne Starks, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-001731

ORDER

Based on the vote of the Court, after careful consideration of the record as required by *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), the petition for a writ of certiorari is denied and counsel's request to withdraw is granted.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

May 17, 2019

cc:

Kathrine Haggard Hudgins, Esquire

Megan Harrigan Jameson, Esquire

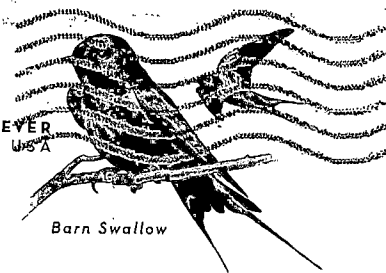
Dwayne Eddie Starks, 253926

The Honorable Emily Yeargin McMahan

Dwayne Starks #253926
LCI/F3-B-1216
190 Wisacky Hwy.
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COLUMBIA SC 290

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