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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

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

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NOV 07 2019

S.C. SUPREME COURT

November 7, 2019

ORIGINAL

Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

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NOV 08 2019

SC Court of Appeals

Re: Charles T. Myers v. The State of South Carolina
Appellate Case No. 2019-000427

Dear Mr. Shearouse:

Mr. Myers has decided to drop his post-conviction relief appeal, as evidenced by the enclosed affidavit. I have reviewed with him the consequences of dropping the appeal and am in agreement with his decision. He has been informed of the advantages and disadvantages of pursuing this appeal, and I believe he has made his decision knowingly and voluntarily.

I respectfully request that an order be issued dismissing this post-conviction relief appeal. Additionally, I respectfully requests the timelines for filing be held in abeyance pending the Court's decision on the motion to withdraw.

By copy of this letter, I am informing Johnny E. James, Jr., Esquire of my client's decision. Thank you for your assistance in this matter.

Sincerely,

Victor R. Seeger
Appellate Defender

VRS/cws

Enclosure

cc: Benjamin Limbaugh, Esquire
Charles T. Myers #294203

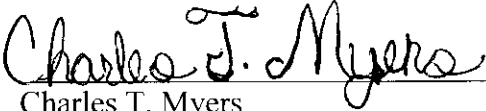
STATE OF SOUTH CAROLINA)	IN THE SOUTH CAROLINA SUPREME COURT
COUNTY OF CHARLESTON)	APPELLATE CASE NO. 2019-000427
)	
)	
CHARLES T. MYERS)	
)	
Petitioner,)	
)	
v.)	AFFIDAVIT OF CHARLES T. MYERS
)	
STATE OF SOUTH CAROLINA)	
)	
)	
Respondent.)	
_____)	

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SC Court of Appeals

PERSONALLY appeared before me, Charles T. Myers, who being duly sworn, deposes and says:

1. I am the Petitioner in the above captioned case.
2. In the June 2013 term, I was indicted by the Charleston County Grand Jury for trafficking cocaine, possession with intent to distribute marijuana and possession of a firearm during the commission of a violent crime.
3. On October 8, 2014, I was convicted of trafficking cocaine (2013-GS-10-03396) and possession with intent to distribute marijuana (2013-GS-10-03397) in front of the Honorable R. Knox McMahon and a jury. I was represented by Benjamin Lewis. Judge McMahon sentenced me to twenty-five years imprisonment for the trafficking cocaine charge and five years imprisonment for the possession with intent to distribute marijuana charge.
4. On June 13, 2017, I filed an application for post-conviction relief (PCR). My PCR hearing was held on July 26, 2018 before the Honorable Deadra L. Jefferson.
5. On February 12, 2019, Judge Jefferson signed an order of dismissal denying my PCR application.
6. On March 12, 2019, my PCR counsel, Christopher L. Murphy, filed a notice of appeal.
7. On April 22, 2019, my case was assigned to Victor R. Seeger, Esquire with the Office of Appellate Defense. On October 2, 2019, I communicated with Mr. Seeger in writing regarding my intention to withdraw my post-conviction relief appeal.

8. I understand that I am entitled to an appeal of my conviction, 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 my post-conviction relief appeal that I forever waive those issues that could be raised.
9. 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.
10. I have made this decision on my own, with a full understanding of all the possible consequences of this action.
11. I do not wish to appeal.


Charles T. Myers

SWORN TO before me this
4th day of November, 2019.


Notary Public for South Carolina

My Commission Expires: 8/5/2024