

The Supreme Court of South Carolina

Fred R. Halcomb, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2019-000476

Lower Court Case No. 2010CP3300852

ORDER

Petitioner was represented by Joshua A. Bailey, Esquire, before the circuit court. The notice of appeal, however, was filed by Jeremy A. Thompson, Esquire. The petition for a writ of certiorari, appendix and a return to the petition have been filed.

Mr. Thompson now moves to withdraw as counsel for the petitioner based on the fact that he will be employed in the Federal Public Defender's Office beginning on February 3, 2020. Petitioner has filed a *pro se* return opposing the motion. The State has not filed a return.

The motion is granted based on 18 U.S.C. § 3006A(g)(2)(A), which states in relevant part: "Neither the Federal Public Defender nor any attorney so appointed by him may engage in the private practice of law." Accordingly, Jeremy Adam Thompson, Esquire, is hereby relieved as counsel for petitioner.¹

Since he has not been allowed to withdraw as counsel, Mr. Bailey continues to serve as the counsel for the petitioner in this appellate case. Rule 264(a) of the South Carolina Appellate Court Rules ("The attorneys . . . of the respective parties

¹ This is without prejudice to whatever rights or remedies may be available to petitioner based on the allegations raised in the return.

in the court below shall be deemed the attorneys . . . of the same parties in the appellate court until withdrawal is approved and notice is given as provided in this Rule.").



FOR THE COURT C.J.

Columbia, South Carolina
January 23, 2020

cc: Jeremy Adam Thompson, Esquire
Joshua A. Bailey, Esquire
David A. Spencer, Esquire
Mr. Fred R. Holcomb
Division of Appellate Defense