

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

**RECEIVED**

FEB 19 2020

S.C. SUPREME COURT

\_\_\_\_\_  
APPEAL FROM GEORGETOWN COUNTY  
Kristi F. Curtis, Circuit Court Judge

\_\_\_\_\_  
Case No. 2015-CP-22-00845  
\_\_\_\_\_

TERRON GERHARD DIZZLEY, #359480

PETITIONER,

STATE OF SOUTH CAROLINA,

RESPONDENT.

\_\_\_\_\_  
MOTION TO BE RELIEVED AS COUNSEL PURSUANT TO RULE 264, SCACR  
\_\_\_\_\_

Counsel for Petitioner hereby moves to be relieved as counsel for Petitioner, Terron Gerhard Dizzley. In support of the motion, the undersigned hereby states:

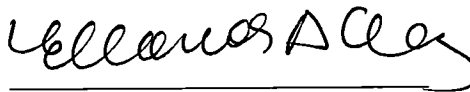
1. Counsel was retained by Petitioner to represent him at the PCR court trial only. The PCR court has denied relief. Counsel has filed a timely Notice of Appeal and properly served it upon all parties. She has mailed a copy to Petitioner, along with an Affidavit of Indigency, with instructions for him to mail it to the SC Commission on Indigent Defense, if he does not desire to retain a private attorney.
2. Petitioner has repeatedly expressed his desire to have Counsel removed as counsel through filings with the PCR Court and this Court. *See* Sup. Ct. Case #2019-000089.

3. Petitioner has filed a *pro se* “complaint for negligence” against Counsel in the Richland County Court of Common Pleas. J. Calhoun Watson represents undersigned Counsel in this case. *See* 2019-CP-40-03442.

4. Counsel asserts that she cannot continue to represent Petitioner in light of these circumstances. The filing of the lawsuit against her adversely affects her ability to communicate with Petitioner. In addition, counsel cannot advocate for her client while defending herself against the lawsuit.

5. THEREFORE, the undersigned respectfully requests that she be relieved as counsel.

CLEARY LAW LLC

By: 

Eleanor Duffy Cleary

Bar # 7068

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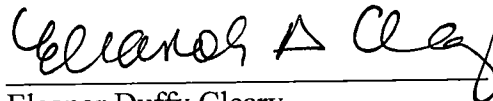
Columbia, SC  
February 14, 2020

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Motion to Be Relieved as Counsel Pursuant to Rule 264, SCACR*, was deposited in the United States Mail, postage prepaid, on this 14th day of February 2020, to the following:

Johnny E. James, Jr.  
South Carolina Attorney General's Office  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3970  
Email: JJJames@scag.gov

Terron G. Dizzley #359480  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia, SC 29210

  
\_\_\_\_\_  
Eleanor Duffy Cleary