

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2020-000157

Adrian Lamar Glenn,

Appellant,

v.

The State,

Respondent.

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RETURN TO MOTION TO RELIEVE COUNSEL

SC Court of Appeals

Michanna Tate, Esq. files this Return in response to Appellant's Motion to Relieve Counsel, as filed by Appellant. For the reasons set forth below, the Appellant's Motion should be denied, as the undersigned attorney is not the Appellant's attorney for purposes of an appeal.

I. Attorney Michanna Tate is not the Appellant's Attorney for Purpose of Appeal

Attorney Michanna Tate was retained for the purpose of Appellant's initial case in Spartanburg County General Sessions Court. Any further representation would necessitate a new agreement between the parties. No such agreement was made. Nor was any additional consideration paid for further representation. The need for an additional agreement for purposes of an appeal was outlined in the agreement signed by both Appellant and Michanna Tate on August 24, 2018 (Exhibit A).

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II. Appellant would not be Harmed by an Order of this Court Defining Michanna Tate's Role for purposes of Appellant's Appeal


Attorney Michanna Tate maintains that she is not the Appellant's attorney for purposes of appeal. Given that Michanna Tate has been in contact with, and has attempted to assist the Appellant with the needed paperwork for purposes of being appointed counsel through the SC Commission of Indigent Defense, the Appellant would not be harmed by an Order of this Court defining Michanna Tate's role and relationship to Appellant for purposes of an appeal.

This Return to Motion is based on applicable South Carolina statutory and case law, and upon such affidavits, documents, or other information as may be presented.

WHEREFORE, the undersigned attorney prays for an Order of this Court:

- A. Dismissing Appellant's Motion to Relieve Counsel; and
- B. Finding that Appellant's Motion is without any justification; and
- C. Finding that there is no necessity of this Court to relieve counsel as she does not represent the Appellant for purposes of an appeal.

Respectfully submitted,



Michanna Tate, Bar #100416

P. O. Box 8175

Greenville, SC 29604

Phone: (864) 498-7411

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Greenville, SC
April 20, 2020

EXHIBIT A



Phone: (864) 498-7411
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FLAT FEE AGREEMENT

Adrian Glenn (Client) hires Access Law LLC to pursue claim(s) he/she may have in connection with Pending Criminal Charges in Spartanburg County (Attempted Murderer, etc.)

Access Law LLC will not handle other legal work. Anything not specifically listed above as an agreed upon service is considered other legal work.

This Agreement does not cover representation on appeal or in execution proceedings after judgment, if applicable. Separate arrangements must be agreed to for those services. Services in any matter not described above will require a separate agreement.

This firm represents the Client, Adrian Glenn, only in this matter. It is understood by Client and any third party who may be assisting client financially, emotionally, or otherwise, in this matter, that the firm's duty is to act in the best interest of the Client. The firm cannot share information about Client's case with anyone other than Client without express permission.

I. FLAT FEE: You have retained us on a flat-fee basis. You will pay us \$5,000 as the entire attorney's fee for the representation described in this agreement. **This fee is earned upon receipt.** We accept cash, checks, money orders, and credit/debit cards. \$3000 paid 8/24/18

II. COSTS: You agree to pay for all actual out-of-pocket costs we incur on your behalf. Typical costs include: filing fees, court costs, service of process, depositions, expert witness fees, travel expenses including mileage, delivery charges, and photocopying. **These costs are in addition to the fee for services.**

We may elect to cover certain out-of-pocket costs on behalf of you, but we reserve the right to seek reimbursement from you. You agree to reimburse us for such out-of-pocket costs.

III. WHEN AGREEMENT TAKES EFFECT: This agreement does not take effect, and Access Law LLC has no obligation whatsoever to provide legal services to Client, until Client pays in full the fee required herein.

IV. TERMINATION OF REPRESENTATION AND POST-REPRESENTATION MATTERS: Either party may terminate the representation at any time, subject to our obligations under the Rules of Professional Conduct and the approval of the Court if the matter is in litigation.



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April 20, 2020

Attn: Deputy Clerk V. Claire Allen
South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

**Re: The State v. Adrian L. Glenn
Appellate Case No. 2020-000157**

Dear Deputy Clerk V. Claire Allen:

Please find enclosed an original and six (6) copies of my Return to Mr. Glenn's Motion to Relieve Counsel.

Should you need any additional information from me at this time I can be reached at (864) 498-7411 or by email at attorney@accesslawsc.com.

Sincerely,

A handwritten signature in cursive script that reads "Michanna Tate".

Michanna Tate, Esq.

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