

April 20, 2020

Executive Director Hugh Ryan
Division of Appellate Defense
1330 Lady Street, suite 401
Columbia SC 29201

RECEIVED
APR 27 2020
SC Court of Appeals

Re: Appellate Case No: 2019-001983

Dear Mr. Ryan:

On April 7th, 2020 I received notification from Mr. Dudek stating that your office would not be able to represent me. He stated that under Rule 602, SCACR my family made too much money to qualify for indigent status. Since the 7th, my family and I have been working to find private representation. Over the last week I have spoken with three attorneys over the phone. All of them urged me to appeal Mr. Dudek's decision.


Each of the attorneys I spoke with thought highly of the quality of representation that your office provides, but they all felt the interpretation of Rule 602 was overly strict. Each attorney quoted an estimate for my case of at least \$15,000. My wife, currently the only source of income for our family of five, makes \$35,244 a year as a public school teacher. I cannot see how she could afford to use almost half of her yearly income to pay for

my appeal, the poverty guideline, according to your office is \$30,680. This accounts for a difference of less than \$5,000 between my family income and the stated poverty guideline.

I was additionally surprised at Mr. Dudek's letter because I spoke with Ms. Adriane Burk, Legal Services Coordinator, before sending my second Affidavit of Indigency. She assured me this document was just a formality and that your office was working on my case. I also spoke directly with Mr. Dudek and explained my situation. After speaking with him I was again told that your office was going to handle my case.

I respectfully request you to reconsider your office's decision to not accept my case. As I stated, my wife would have a difficult time paying for my appeal and I believe the difference between her income and the guidelines is negligible. In addition, I don't understand why your office reversed its earlier decision to handle my case. Regardless of your decision, I would ask that an extension be filed to protect my appeal from any deadlines. I look forward to working with your office.

Thank you for your time and consideration,



cc: The Honorable Jenny Kitchings

Julio Andres Castillo 382847

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McCormick CI, F2-210
386 Redemption Way
McCormick, SC 29899

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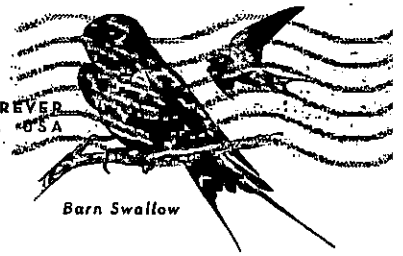
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APR 22 2020

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The Honorable Tenny Abbott Kitchings
Clerk, SC Court of Appeals
PO Box 11629
Columbia, SC 29211

Legal Mail

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