

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Craig D. Brown, Circuit Court Judge

Appellate Case No. 2019- 001614

RECEIVED
May 28 2020
SC Court of Appeals

State of South Carolina,

Respondent,

V.

CHARLES EDWARD MUNGIN, III, #00381392,

Appellant.

MOTION FOR SUBSTITUTION OF COUNSEL

NOW COMES the Appellant, acting by and through undersigned counsel, asking that she be substituted for Robert Michael Dudek, Chief Appellate Defender, Appellate Division, South Carolina Commission on Indigent Defense, as Counsel of Record for Appellant's direct appeal currently pending before this Court. Undersigned Counsel was recently hired by Appellant's mother, Yvette Jameson, who advises Counsel that she was acting with the full knowledge and consent of Appellant.

Undersigned Counsel has sent Appellant a copy of her standard third party consent form, as well as a copy of this Motion for Substitution of Counsel, to Appellant for his review. He has been



instructed to sign and return both forms to Counsel's office as soon as possible once he determines that he is in agreement with the content of those documents. Counsel will provide this Honorable Court with copies of those documents as soon as they are received by Counsel's law firm. Counsel has discussed this request with opposing counsel, Melody J. Brown, Deputy Attorney General, who advises that she takes no formal position on this motion and defers to the sound discretion of this Honorable Court. Counsel has spoken with Bob Dudek, Chief Counsel, Appellate Division, SCCID, concerning this request and he has voiced no objection to this substitution request.

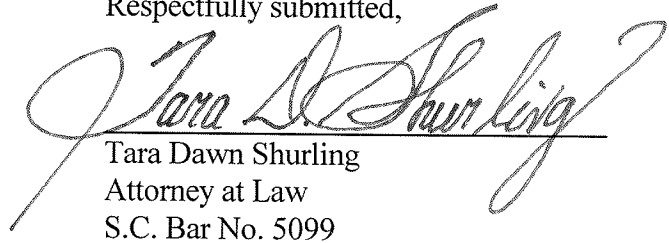
The trial transcript in this matter was previously ordered by the Appellate Division of SCCID and has been received by them. Appellant had previously been provided a copy of his trial record by SCCID. Undersigned Counsel has received on package from Appellant containing two volumes of that record and is advised by Appellant's mother that the remainder of the trial transcript has been mailed to Counsel in a second package. As of the date of this motion, Counsel has not yet received the remaining portion of the transcript from Appellant. One court reporter, (Karen V. Anderson) recorded the pre-trial motions in this matter and another (Phyllis Norton) recorded the trial proceeding. (Phyllis Norton). It is the intent of Counsel to order a copy of these records from these court reporters if she is substituted as Counsel of Record in this matter.

WHEREFORE, APPELLANT requests that Tara Dawn Shurling be substituted as Counsel of Record in this matter and that Robert Michael Dudek, be relieved as counsel for this direct appeal. Counsel requests that her filing date for the Initial Brief of Appellant be set from the filing date of this Court's ruling on this motion or the date she receives the last of the transcripts in this matter from the court reporters, whichever date is later.

(signature on following page)

A handwritten signature in black ink, appearing to be 'TDS', is located at the bottom center of the page.

Respectfully submitted,


Tara Dawn Shurling
Attorney at Law
S.C. Bar No. 5099

Law Office of Tara Dawn Shurling, P.A.
3614 Landmark Drive
Suite A
Columbia, S.C. 29204

(803) 738-8622 Phone
(803)738-1600 Fax

tdslaw@shurlinglaw.com

ON BEHALF OF APPELLANT

This 26th day of May, 2020.

I consent:

Charles Edward Mungin, III
SCDC No. 00381392

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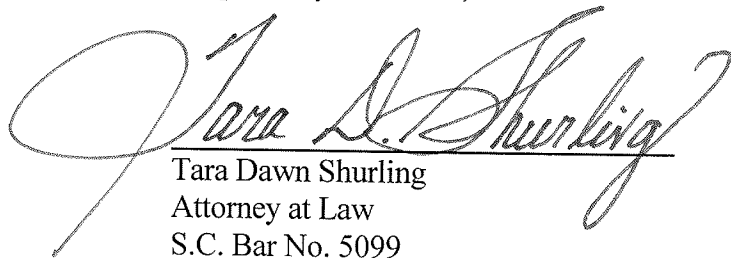
Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Robert M. Dudek, Chief Appellate Defender, SCCID, has been served, has this 25th day of May, 2020, been served with Appellant's Motion for Substitution of Counsel, by putting one copy thereof in the USPS to be delivered to the address listed below

Robert M. Dudek
Chief Appellate Defender
Appellate Division
SCCID
P.O. Box 11589
Columbia, S.C. 29211

Respectfully submitted,


Tara Dawn Shurling
Attorney at Law
S.C. Bar No. 5099

ON BEHALF OF APPELLANT

This 25th day of May, 2020.

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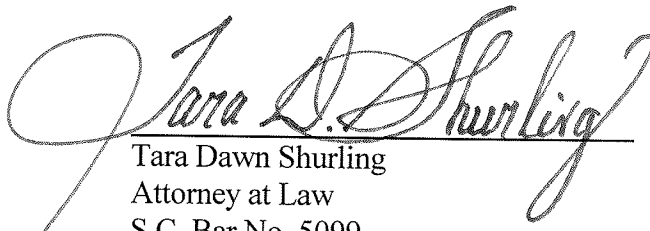
CHARLES EDWARD MUNGIN, III, #00381392,

Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that opposing counsel, Melody J. Brown, Deputy Attorney General, has this 26th day of May, 2020, been served with Appellant's Motion for Substitution of Counsel, by putting one copy thereof in the USPS to be delivered to the address listed below. Additionally, the undersigned has sent Attorney Brown a digital copy by email this same date.

Melody J. Brown
Deputy Attorney General
Office of the Attorney General
P.O. Box 11549
Columbia, S.C. 29211


Tara Dawn Shurling
Attorney at Law
S.C. Bar No. 5099

ON BEHALF OF APPELLANT

This 26th day of May, 2020.

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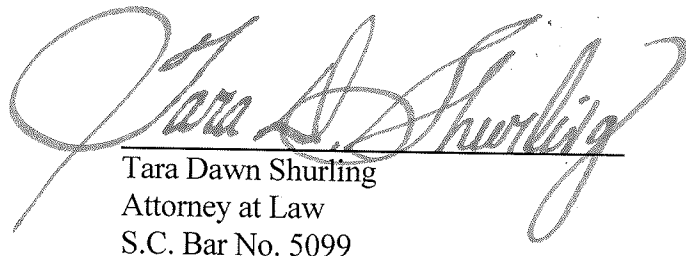
CHARLES EDWARD MUNGIN, III, #00381392,

Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Robert M. Dudek, Chief Appellate Defender, SCCID, has been served, has this 26th day of May, 2020, been served with Appellant's Motion for Substitution of Counsel, by putting one copy thereof in the USPS to be delivered to the address listed below

Robert M. Dudek
Chief Appellate Defender
Appellate Division
SCCID
P.O. Box 11589
Columbia, S.C. 29211


Tara Dawn Shurling
Attorney at Law
S.C. Bar No. 5099

ON BEHALF OF APPELLANT

This 26th day of May, 2020.

LAW OFFICE OF



TARA DAWN SHURLING, PA

Attorney and Counselor at Law

3614 Landmark Drive

Suite A

Columbia, South Carolina 29204

(803) 738-8622

(Fax) (803) 738-1600

E-Mail: tdslaw@shurlinglaw.com

May 26, 2020

RECEIVED

May 28 2020

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
Court of Appeals
P.O. Box 11629
Columbia, SC 29201

RE: State v. Charles Edward Mungin, III; Appellate Case No. 2020-000157

Dear Ms. Kitchings:

Attached you will please find for filing my Motion for Substitution of Counsel in the above captioned direct appeal. As the Motion states, I have sent a copy of this to the client for him to sign and return to my office as quickly as possible. As soon as I receive his signed copy, I will get it to the Court at once. For now I have spoken with, Melody Brown, Deputy Attorney General, and Bob Dudek at SCCID, and neither of them have voiced any objection to this request. Thank you very much. I remain,

Sincerely,

A handwritten signature in black ink that reads "Tara Dawn Shurling". The signature is fluid and cursive, with a large initial 'T' and 'S'.

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/ca

cc: Robert M. Dudek, Chief Appellate Defender
Melody J. Brown, Deputy Attorney General
Yvette Jamerson
Charles Edward Mungin, III # 00381392