

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

Keith R. Kelly, Circuit Court Judge

Appellate Case No. 2020- 000157

RECEIVED

Jun 08 2020

SC Court of Appeals

State of South Carolina,

Respondent,

V.

ADRIAN LAMAR GLENN, 00285587,

Appellant.

MOTION FOR SUBSTITUTION OF COUNSEL

NOW COMES the Appellant, acting by and through undersigned counsel, asking that she be substituted for Michanna Talley Tate, trial counsel in this matter, as Counsel of Record for Appellant's direct appeal currently pending before this Court. Undersigned Counsel was recently hired by Appellant's family who advise Counsel that they did so with the full knowledge and consent of Appellant. Counsel herein has subsequently personally spoken with Appellant and orally confirmed his desire to be represented on appeal by the undersigned.

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



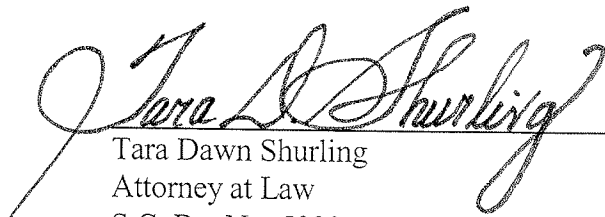
review. He has been instructed to sign and return both forms to Counsel's office as soon as possible once he determines that he is in agreement with the content of those documents. Counsel will provide this Honorable Court with copies of those documents as soon as they are received by Counsel's law firm. Counsel has discussed this request with trial counsel, who did not file Appellant's Notice of Appeal following his trial and voiced no objection to this substitution request.

The trial transcript in this matter was has not been ordered. It is undersigned Counsel's understanding that there is a problem with the service of the *pro se* Notice of Appeal filed in this matter which needs to be resolved before this appeal may move forward. Undersigned Counsel has it upon information and belief that the Notice of Appeal was physically filed by Appellant's grandmother using forms provided to her by trial counsel after trial counsel improperly declined to preserve Appellant's right to a direct appeal in compliance with a standing Order of our Supreme Court requiring trial attorney's to preserve their client's right to a direct appeal regardless of whether they have been hired to perfect such an appeal. Undersigned Counsel is willing, at the instruction of the Court, to clarify the underlying facts surrounding the filing of the Notice of Appeal and its service. She is willing to attempt to establish sufficient compliance with Rule 203, SCACR, to permit this direct appeal to go forward. Counsel is advised that Appellant has filed a *pro se* Motion to Relieve Attorney Tate with this Honorable Court which is pending at this time. Should this Honorable Court prefer for Attorney Tate to attempt to cure the procedural defect in this filing, Counsel would ask for this Court's Order substituting her as Counsel of Record after the necessary correction is accomplished.

WHEREFORE, APPELLANT requests that Tara Dawn Shurling be substituted as Counsel

of Record in this matter and asks that, Michanna Talley Tate, Esquire, be relieved as counsel for this direct appeal. Counsel requests that her filing date for ordering the trial record in this matter be set from the filing date of this Court's ruling on this motion.

Respectfully submitted,


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

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

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

tdslaw@shurlinglaw.com

ON BEHALF OF APPELLANT

This 25th day of May, 2020.

I consent:



ADRIAN LAMAR GLENN, 00285587

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Craig D. Brown, Circuit Court Judge

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State of South Carolina,

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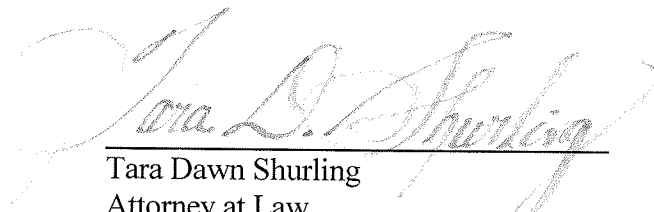
ADIAN LAMAR GLENN, 00285587

Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that opposing counsel, William M. Blich, Jr., Senior Assistant Deputy Attorney General, has this 8th day of June, 2020, been served with a copy of Appellant's Motion for Substitution of Counsel, signed by Appellant, by putting one copy thereof in the USPS to be delivered to the address listed below. Additionally, the undersigned has sent Attorney William M. Blich, Jr., a digital copy by email to wblitch@scag.gov this same date.

William M. Blich, Jr.
Senior Assistant 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 8th day of June, 2020.

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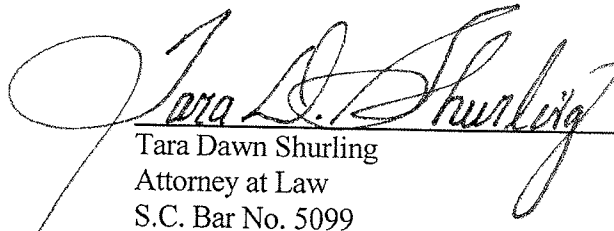
ADIAN LAMAR GLENN, 00285587

Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Trial Counsel Michanna Talley Tate, 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 to attorney@accesslawsc.com this same date.

Michanna Talley Tate, Esquire
Access Law, LLC
P.O. Box 8175
Greenville, SC 29604


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

ON BEHALF OF APPELLANT

This 26th day of May, 2020.