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Jul 15 2020

SC Court of Appeals



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

July 15, 2020

The Honorable Jenny Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: James R. Rose v. The State
Appellate Case No. 2017-002052

Dear Ms. Kitchings:

Attached is the drop affidavit of Petitioner James Rose. While I disagree strongly with his decision to drop his post-conviction relief appeal, it is his decision to drop his appeal. Consequently, I have attached his drop affidavit, in which he requests this Court to dismiss his post-conviction relief appeal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RMD', is written over a faint circular stamp.

Robert M. Dudek
Chief Appellate Defender

RMD/hek

cc: James Rose
Samuel Leonard Key, Esquire

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE SOUTH CAROLINA COURT OF APPEALS

JAMES R. ROSE,)
)
PETITIONER,)
v.)
)
THE STATE,)
)
RESPONDENT.)
_____)

AFFIDAVIT

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PERSONALLY appeared before me, James R. Rose, who being duly sworn, deposes and says:

1. I am the petitioner in the above captioned case.
2. I understand that I am entitled to appeal the denial of post-conviction relief, and that, because I am indigent, I am entitled to the assistance of an attorney from the South Carolina Office of Appellate Defense. I have been informed that if I drop the appeal of the denial of post-conviction relief that I forever waive those issues that could be raised.
3. In light of the risks which have been explained to me, it is my desire that the South Carolina Office of Appellate Defense drop the appeal formerly filed on my behalf.
4. I have made this decision on my own, with a full understanding of all the possible consequences of this action.
5. I do not wish to appeal.

James R. Rose
James R. Rose

SWORN TO before me this 9th
day of July, 2020.

Lakeisha W. Gray (L.S.)
Notary Public for South Carolina
My Commission Expires: January 13th 2030