

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )  
 )  
Robert Burke Carter, 235165, )  
 )  
 )  
Applicant, )  
 )  
 )  
v. )  
 )  
State of South Carolina, )  
 )  
 )  
Respondent. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
2009-CP-26-5609

**ORDER RELIEVING  
COUNSEL**

13 JAN 11 PM 1:16  
CLERK OF COURT

This matter comes before this Court by an improperly successive Application for post-conviction relief. The Applicant is represented by Carla Grabert Lowenstein, Esquire. The State is represented by Tyson Andrew Johnson, Sr. This Court issued a Conditional Order of Dismissal followed by a Final Order of Dismissal dated September 26, 2012 and filed October 1, 2012, denying the application for post-conviction relief, and dismissing the Application with prejudice.

Counsel for Applicant submitted a "Motion to Be Relieved As Counsel" with an attached Certificate of Service dated November 19, 2012. The Court set a hearing for the Motion on January 29, 2013 at 9:00 AM. Applicant then submitted a letter to the Court, and a document captioned "Motion for Counsel to Be Relieved and to Hold Case in Abeyance" expressing *inter alia*, his desire "that she be relieved." The State indicated that it had no objection to Counsel's request to be relieved.

This Court Finds that as to Counsel's request to be relieved, there is no objection by either Applicant or the State, therefore seeing no matter in controversy, the request to be relieved as counsel is hereby  
GRANTED.

10/2  
A. Johnson

**RECEIVED**

JAN 17 2013

Referred to A. Johnson, Sr.  
Answered \_\_\_\_\_

This Court further finds that as to the remaining requests in Applicant's Motion, this case has been concluded by Final Order of Dismissal. As the time for post-trial motions has now run, and as the matter is now concluded with finality, there is no case to hold in abeyance.

IT IS THEREFORE ORDERED that, Counsel for Applicant is hereby relieved from representing Applicant, the remaining requests in Applicant's Motion are DENIED.

AND IT IS SO ORDERED this 2nd day of January,  
2013

*Steven H. John*  
\_\_\_\_\_  
Honorable Steven H. John  
[REDACTED] Judge  
Resident 15th Judicial Circuit

Conway, South Carolina.

*2013*  
*[Signature]*