

John Garvin  
Lieber Correctional Institution  
136 Wilborn Avenue  
Ridgeville, S.C. 29472

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JAN 14 2021

S.C. SUPREME COURT

ATTN: Hon. Daniel E. Shearouse, Clerk  
The South Carolina Supreme Court  
1231 Gervais Street  
Columbia, S.C. 29201

**RE: John Garvin v. State, Case No.: 2020-001418, Motion to Relieve Counsel and A Motion to Proceed as Pro-se**

Dear Hon. Clerk Shearouse:

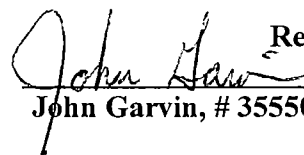
On December 17, 2020, Ms. Adriane Burk, Legal Services Coordinator, for South Carolina Commission on Indigent Defense and legal assistant for Robert M. Dudek, Chief Appellate Defender, placed an order for the transcript of a PCR motion hearing that was heard on February 21, 2018, before the Hon. Michael G. Nettles, Presiding Judge. Insomuch as, she didn't order my July 19, and July 31, 2019, PCR hearing transcript that was heard before Presiding Judge, J. Derham Cole.

Whereas, that PCR Court issued an Order denying my Rule – 59(e) Motion for Reconsideration to Alter/Amend Judgment that was entered and filed on September 11, 2020, which relates to an Order of Dismissal for Post-Conviction Relief that was filed on July 10, 2020, denying my PCR application. A Notice of Appeal was filed October 22, 2020. The brief that Robert M. Dudek, plans to file does not and will not address any of the issues denying my PCR application.

Instead, Mr. Dudek chooses to address an issue that's not included in Presiding Judge, J. Derham Cole's PCR Order of Dismissal denying my PCR application. Thus, making the issues that I presented to the PCR Court on July 19, and July 31, 2019, not preserved for appellate review. Plus, notwithstanding, that I do have a right to appeal Presiding Judge, J. Derham Cole's Order of Dismissal denying my PCR application. In addition, the brief that Mr. Dudek plans to file on my behalf fails to do that. Therefore, I would like this Court to disregard any brief that Robert M. Dudek, plans to file on my behalf and allow me to proceed as Pro-se from here on out.

Enclosed please find a Motion to Relieve Counsel and a Motion to Proceed as Pro-se with supporting affidavits, and a Certificate of Service that is to be filed in the South Carolina Supreme Court.

Dated: January 11, 2021

 Respectfully,  
John Garvin, # 355509, Pro-se.

JG/jg

Enclosure

cc: Johnny E. James, Jr., Asst. Att'y. General  
Robert M. Dudek, Chief Appellant Defende

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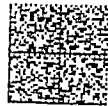


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LEGAL MAIL