

The Supreme Court of South Carolina

John Dewayne Garvin, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2020-001418

ORDER

This matter is before the Court by way of a notice of appeal from an order of the circuit court denying Petitioner's application for post-conviction relief (PCR). Petitioner is currently represented by Robert M. Dudek of the Commission on Indigent Defense, Division of Appellate Defense. Petitioner moves to relieve Mr. Dudek as counsel and to proceed *pro se*. He also asks that a guardian ad litem be appointed and the Office of Indigent Defense be required to bear the costs of obtaining the transcript of his PCR hearing.

We grant the motion to relieve Mr. Dudek as counsel for Petitioner and deny the request for appointment of a guardian ad litem. The Division of Appellate Defense shall remain associated with this matter for the limited purpose of assisting Petitioner with obtaining transcripts, making copies, and serving and filing the petition, appendix, and any briefs that may be necessary.

Petitioner shall order the transcript of the proceedings in the PCR court from the court reporter within ten (10) days of the date of this order. *See* Rules 207(a)(1) and 243(b), SCACR. Within thirty (30) days of the receipt of the transcript, Petitioner shall serve and file the petition and appendix in accordance with Rule 243(d), SCACR, and the provisions of *In re: Operation of the Appellate Courts During the Coronavirus Emergency*, S.C. Sup. Ct. Order Amended May 29, 2020. The content of the petition and appendix shall comply with the requirements of

Rule 243(e) and (g), SCACR.



FOR THE COURT

C.J.

Columbia, South Carolina
March 9, 2021

cc: William H. Ray, Esquire
Robert Michael Dudek, Esquire
Mr. John D. Garvin, 355509