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March 15, 2021

The Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RECEIVED

Mar 15 2021

S.C. SUPREME COURT

Re: State v. Luther Brian Marcus
Edward W. Miller, Circuit Court Judge
Opinion No. 2020-UP-338, filed December 16, 2020

Dear Mr. Shearouse:

Mr. Marcus has decided not to file a petition for writ of certiorari to the Court of Appeals and accompanying appendix in this case. After speaking with Mr. Marcus on the phone where he expressed his desire to drop the current appeal and to pursue a post-conviction relief claim, I reviewed with him the consequences of this action. He has been informed of the advantages and disadvantages of pursuing this appeal, and I believe he has made his decision knowingly and voluntarily.

Because of my client's request, I will not be filing a petition for writ of certiorari to the Court of Appeals and accompanying appendix in this case which is due to be served and filed with the Court today.

By copy of this letter, I am informing Thomas W. Nicholson, Esquire, of my client's decision. Thank you for your assistance in this matter.

Sincerely,

s/ Victor R. Seeger
Victor R. Seeger
Appellate Defender

VRS/cws

Enclosure

cc: Thomas W. Nicholson, Esquire
Luther Brian Marcus, #218408