

STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
Thomas A. Russo, Circuit Court Judge

JAN 15 2020

S.C. SUPREME COURT

Appellate Case No. 2019-001081
Lower Court Case No. 2018-CP-42-1406

CESAR MENDEZ-MARTINEZ, #373834,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

MOTION TO WITHDRAW AS COUNSEL

THIS MATTER comes before the Court by way of an appeal from a Post-Conviction Relief Order. On December 16, 2019, undersigned counsel was offered, and he accepted, a position in the Appellate Division of the Federal Public Defender's Office. Undersigned counsel's employment will begin on February 3, 2020. Undersigned counsel cannot represent clients in a private capacity when he is employed with the Federal Public Defender's Office.

Undersigned counsel subsequently met with the Petitioner on December 17, 2019, at Lee Correctional Institution to discuss his change in employment and the Petitioner's options moving forward with his appeal. At that time, the Petitioner informed undersigned counsel that he intended

to request appointed counsel represent him on this appeal. Undersigned counsel provided the Petitioner with an affidavit of indigency during this meeting; however, undersigned counsel has not yet received a completed affidavit from the Petitioner. The Petitioner did not oppose undersigned counsel's request to be relieved when undersigned counsel met with him.

Given all of the above, undersigned counsel respectfully requests that this Court permit him to withdraw as counsel in this appeal pursuant to Rule 264(b), SCACR. Undersigned counsel has consulted with opposing counsel regarding this request, and opposing counsel consents to the granting of this motion. Furthermore, undersigned counsel is serving a copy of this motion on the Petitioner as well as providing a copy of this motion to Appellate Defense. Finally, undersigned counsel would request that all filing deadlines be held in abeyance pending the resolution of this motion.

Respectfully submitted,



JEREMY A. THOMPSON
Attorney and Counselor at Law

Law Office of Jeremy A. Thompson, LLC
P.O. Box 1834
Irmo, SC 29063
803-779-2555
803-779-2556 FAX
jeremyatlaw@yahoo.com

ATTORNEY FOR PETITIONER.

This 13th day of January, 2020.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the Petitioner's Motion to Withdraw as Counsel in the above-entitled case has been served upon opposing counsel, Jacob Isenberg, Assistant Attorney General, Office of the Attorney General, P.O. Box 11549, Columbia, SC 29211, by depositing in the U.S. mail with proper postage, this 13th day of January, 2020.

JEREMY A. THOMPSON
ATTORNEY FOR THE PETITIONER

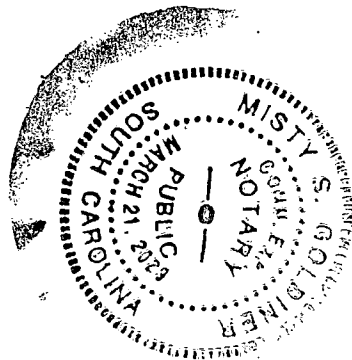
SWORN TO BEFORE me this 13 day
of January, 2020.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: _____

MISTY S. GOLDINER
Notary Public - State of South Carolina
My Commission Expires March 21, 2029



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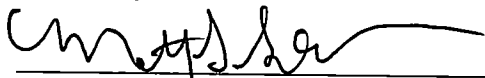
CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the Petitioner's Motion to Withdraw as Counsel in the above-entitled case has been served upon the Petitioner, Cesar Mendez-Martinez, #373834, Lee Correctional Institution, 990 Wisacky Highway, Bishopville, SC 29010, by depositing in the U.S. mail with proper postage, this 13th day of January, 2020.



JEREMY A. THOMPSON
ATTORNEY FOR THE PETITIONER

SWORN TO BEFORE me this 13 day
of January, 2020.



(L.S.)

Notary Public for South Carolina

My Commission Expires: _____

MISTY S. GOLDINER
Notary Public - State of South Carolina
My Commission Expires March 21, 2029

