

The South Carolina Court of Appeals

William R. Pearson, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2018-001946

ORDER

Petitioner's counsel has submitted a petition for a writ of certiorari pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 210 (1988), and a motion to be relieved as counsel. Petitioner submitted a Pro Se Response following this court's *Johnson* notification letter. The panel denies the motion to be relieved as counsel and directs the parties to address the following question and any other questions of arguable merit:

Was trial counsel ineffective for failing to obtain and/or otherwise use law enforcement's dash cam video of Officer Detroit Spires's conversation with Petitioner's son, William James Pearson, Jr., to impeach son's trial testimony implicating Petitioner?

Petitioner's PCR counsel introduced this video as Petitioner's Exhibit 1 at the PCR hearing and used it in questioning Petitioner's trial counsel. (*See* ROA 212-215).¹

Petitioner shall obtain the correct video and serve and file a petition for a writ of certiorari on this question within sixty days of the date of this order. Thereafter,

¹ It appears that only a law enforcement station interview video, not the dash cam video introduced and referenced as Petitioner's Exhibit 1 at the PCR hearing, was submitted as an exhibit to this court.

Respondent shall have thirty days to serve and file its return.

V. Claire Allen

FOR THE COURT

Columbia, South Carolina

April 16, 2021

cc:

Victor R. Seeger, Esquire

Brianna Lynn Schill, Esquire

Alan McCrory Wilson, Esquire

William R. Pearson, 336210

Robert J. Harte

The Honorable J. Mark Hayes, II