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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

May 14, 2021

The Honorable Daniel E. Shearouse  
Clerk of Court  
The South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: James A. Giles v. State of South Carolina  
Appellate Case No. 2018-000880

Dear Mr. Shearouse:

On May 30, 2019, this Court issued an Order denying Mr. Giles' motion to relieve appellate counsel, and in effect granting his request to hold his PCR appeal in abeyance pending a disposition on the Rule 59(e) motion filed in the case, and also dismissing his PCR appeal with prejudice pending a ruling on the Rule 59e motion. A copy of the Order is attached.

On January 31, 2020, an Order denying the Rule 59e motion in the case was signed by Judge J. Mark Hayes. A notice of appeal was filed on February, 25, 2020, by PCR counsel. However, please note that the notice of appeal was filed with the Court of Appeals. A copy of the appeal notice is attached.

At this juncture, we would respectfully await future action taken by this Court in this appeal.

Sincerely,

Wanda H. Carter  
Deputy Chief Appellate Defender

WHC/sl

Enclosure

Cc: Janell Gregory, Esquire  
Beth Ramsey Faulkner, Esquire

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S.C. SUPREME COURT

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

May 14 2021

S.C. SUPREME COURT

APPEAL FROM UNION COUNTY  
COURT OF COMMON PLEAS

J. MARK HAYES, CIRCUIT COURT JUDGE

2014-CP-44-295

James A. Giles  
Appellant

vs.

State of South Carolina  
Respondent

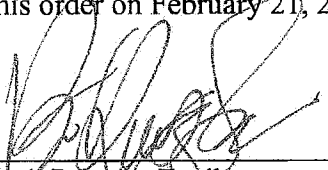
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MELANIE L. LAWSON  
COC CP & GS.

FILED

NOTICE OF APPEAL

James A. Giles appeals the Order Denying Applicants Motion to Alter or Amend in this Post-Conviction Relief action issued by the Honorable J. Mark Hayes on January 31, 2020. Appellant received written notice of entry of this order on February 21, 2020.

February 21, 2020  
York, South Carolina

  
Beth Ramsey Faulkner  
Faulkner Law Firm, LLC  
P.O. Box 1030  
616 E. Liberty Street  
York, South Carolina 29745  
(803) 818-5700  
Attorney for Appellant

Other Counsel of Record:

Justin J. Hunter, Esq.  
PO Box 11549  
Columbia, SC 29211  
Attorney for Respondent

# The Supreme Court of South Carolina

James Giles, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2018-000880

Trial Court Case No. 2014-CP-44-00295

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## ORDER

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Petitioner moved to relieve his appellate counsel and to hold his appeal in abeyance pending the circuit court's disposition of his Rule 59(e), SCACR, motion from the denial of his application for post-conviction relief. The State opposes the motion to hold appeal in abeyance.

The motion to relieve counsel is denied, and Petitioner's appeal is dismissed without prejudice. The Union County Circuit Court is instructed to rule on Petitioner's Rule 59(e) motion before the appeal may proceed.

  
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FOR THE COURT C.J.

Columbia, South Carolina

May 30, 2019

cc: