



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
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August 12, 2021

RECEIVED

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S.C. SUPREME COURT

The Honorable Jenny Abbott Kitchings  
S.C. Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: James A. Giles v. State  
Appellate Case No. 2020-000333

Dear Ms. Kitchings:

Counsel respectfully requests that Wanda H. Carter, Esquire be removed as counsel of record in the above-referenced case, James A. Giles v. State, Appellate Case No. 2020-000333.

Ms. Carter represented Mr. Giles in a previous PCR case, James Giles v. State, 2018-000880, before the Supreme Court. Ms. Carter was relieved as counsel based on a conflict of interest in that case by order of Chief Justice Beatty dated November 20, 2018. Subsequently, the Supreme Court appointed James Falk, Esquire, as counsel of record to represent petitioner in 2018-000880. See James Giles v. State, S.C. Sup. Ct. Order dated December 14, 2018.

Ms. Carter was not appointed as counsel of record and has not filed a notice of appearance in this case, Appellate Case No. 2020-000333. It appears that Ms. Carter may have been mistakenly associated with this case due to her limited involvement in the previous PCR Appeal filed with the Supreme Court.

On May 30, 2019, a dispositional decision signed by Chief Justice Beatty was filed and the case was dismissed without prejudice in 2018-000880. This order further instructed the Union County Circuit Court to rule on a Rule 59(e) motion filed by petitioner.

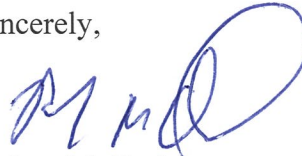
On June 17, 2019, a remittitur was filed, consequently, appellate jurisdiction ended in Appellate Case No. 2018-000880.

Due to the above circumstances, counsel respectfully requests that Wanda H. Carter, Esquire be removed as counsel of record in this case, 2020-000333. James Falk presently represents Mr. Giles in 2020-000333, and undersigned counsel, for the reasons above, respectfully requests that Ms. Carter's name be removed as also being a counsel of record.

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Thank you for your time and attention to this matter. If you have any questions, please contact me.

Sincerely,



Robert M. Dudek  
Chief Appellate Defender

RMD/lmm

cc: The Honorable Patricia A. Howard  
Wanda H. Carter, Esquire  
James Kristian Falk, Esquire  
Michael Jacob Neubauer, Esquire