



ATKINSON LAW FIRM, LLC

Philip B. Atkinson
Attorney at Law
Certified Family Mediator
Guardian ad Litem

October 18, 2021

RECEIVED
OCT 20 2021
SC Court of Appeals

Deputy Clerk Catherine Harrison
Court of Appeals of South Carolina
P.O. Box 11629
Columbia, SC 29211

RE: Johnell Richardson vs. State of South Carolina
Docket No: 2020-CP-21-1467
Your Appellate Case Number: 2021-000905

Dear Deputy Clerk,

I received your October 14th letter regarding the court's decision to allow the appellant to proceed in forma pauperis. By copy of this letter to my client I am forwarding that decision to him.

Your letter also asked that I order a transcript within 10 days of the date of the letter. Please allow this letter to confirm, as the appeal I file stated, the judge allowed no hearing or argument upon this case and therefore there is no transcript to be ordered pursuant to rule 207.

Your letter also indicated you had received multiple notices of appeal in the matter and had assigned the case number listed above. However, upon closer review, it would appear the case had to originally be filed in the Supreme Court. Then it was referred back to this court when they declined to hear it in their original jurisdiction. Therefore, I understand the above referenced number is the only one assigned to this case.

Should you have any other questions, please do not hesitate to contact me directly. I have already filed an affidavit (indicating under Cauthen) I do not believe there to be any merit in the argument of this appeal. If the appellant has an argument at all, it would be with the same issues raised but in the original jurisdiction of the Supreme Court. By copy of this letter, I am notifying the court and my client that I intend to make motion to be relieved as counsel for this and various other reasons. This would give the client some advance notice to take steps to retain counsel if he wishes to further pursue this particular appeal of what the judge deemed a subsequent PCR when filed at the trial court level.

Very Truly Yours,

Philip B. Atkinson

Cc: Johnell Richardson
Michael D. Davidson, Esq.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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October 14, 2021

Mr. Philip Bryan Atkinson, Esquire
601 West Evans Street Suite 101
Florence SC 29501

Re: Johnell Richardson v. State
Appellate Case No. 2021-000905

Dear Counsel:

Enclosed is this Court's decision on the motion to proceed in forma pauperis. The transcript must be ordered within ten (10) days of the date of this letter as required by Rule 207 of the South Carolina Appellate Court Rules. (SCACR).

Furthermore, this Court has received multiple notices of appeal in this matter. These appeals will be consolidated under the appellate case number above for consideration by the Court under the SCACR, and we anticipate receiving one record on appeal.

Very truly yours,


CLERK

cc: Michael D. Davidson, Esquire

The South Carolina Court of Appeals

Johnell Richardson, SCDC #355032, Appellant,


v.

The State of South Carolina, Respondent.

Appellate Case No. 2021-000905

ORDER

Appellant's motion to proceed *in forma pauperis* is granted. See *Lakes v. State*, 333 S.C. 382, 386, 510 S.E.2d 228, 230-31 (1998) (finding an inmate was entitled to proceed *in forma pauperis* on a habeas corpus petition in the absence of factual findings that the petitioner engaged in frivolous, repetitive, and abusive filings).



FOR THE COURT

Columbia, South Carolina

cc:

Philip Bryan Atkinson, Esquire
Michael D. Davidson, Esquire

FILED
Oct 14 2021



Atkinson Law Firm, LLC
 601 West Evans Street, Suite 101
 Florence, SC 29501



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