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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Nov 05 2021

SC Court of Appeals

Division of Appellate Defense
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November 5, 2021

Mr. Russel S. Kendrick, #384531
Trenton Correctional Institution
84 Greenhouse Road
Trenton, SC 29847

Dear Mr. Kendrick:

It is my understanding that it is your desire to drop your direct appeal in the case. Before you can make a voluntary decision about dropping your appeal, you must understand the rights and risks involved in such an action.

First, you must understand that you have an absolute right to a direct appeal free of charge through our agency. Also, once you drop this direct appeal you cannot get it back. In other words, once you drop your appeal, you forever lose your right to a direct appeal on these convictions and sentences. Also, you must know that dismissing the appeal may result in the inability to raise issues that could have been raised on direct appeal in a subsequent appeal to the United States Supreme Court or in a subsequent collateral action in state or federal court. Finally, if you continue with this direct appeal and win, then you could receive harsher sentences the second time around.

If after reading this letter, you decide that you want to drop your direct appeal, please contact me and I will send you a drop affidavit. If you have questions about this letter, please contact me.

Sincerely,

Adam Sinclair Ruffin
Appellate Defender

ASR/sl