

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Sammie Louis Stokes, #5069,	)	C/A No.: 1:16-845-RBH-SVH
	)	
Petitioner,	)	
	)	
vs.	)	
	)	
Bryan P. Stirling, Director, South	)	ORDER
Carolina Department of Corrections;	)	
Joseph McFadden, Lieber Correctional	)	
Institution,	)	
	)	
Respondents.	)	
	)	

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This matter comes before the court on the joint motion of the parties requesting the court issue an order addressing privileged attorney-client matter disclosures. [ECF No. 112]. The court grants the parties' motion.

To the extent Petitioner's PCR counsel reasonably believe necessary, PCR counsel shall provide testimony and supporting documents in defense of their representation of the Petitioner at his state PCR action. Should any document or other material contain protected information that does not relate to the allegations of ineffective assistance of counsel, PCR counsel must redact that information from an otherwise responsive document or other material, if the documents address other aspects of counsel's representation of the Petitioner that are not necessary for resolution of the Petitioner's claims about counsel's conduct and their communications. Moreover, the attorney-client privilege, which attaches to the communications between the Petitioner and his former counsel, shall not be deemed automatically waived in any other federal or state

proceeding. Outside of this proceeding, the Respondent is prohibited from otherwise using the interviews and information from potential witnesses, and/or the affidavits, information, and documents disclosed by the Petitioner's former counsel, without further order of a court of competent jurisdiction or a written waiver by the Petitioner.

IT IS SO RECOMMENDED.



June 27, 2017  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge