

The Supreme Court of South Carolina

Tamarquis Wingate, Petitioner,

v.

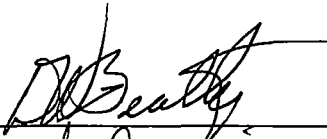
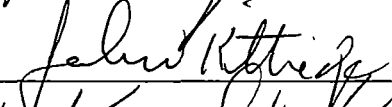

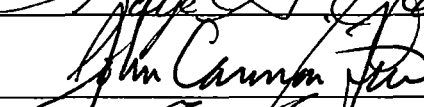
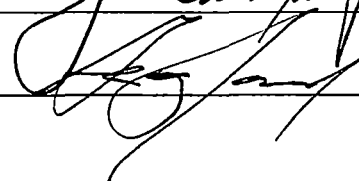
State of South Carolina, Respondent.

Appellate Case No. 2021-001329

ORDER

Petitioner has filed a *pro se* document entitled "Notice of Motion Requesting Leave to Proceed Pro Se" in which he asks the Court to relieve Jonathan Waller as his attorney in this matter and allow him to proceed *pro se*. In response, Waller has filed a letter advising this Court that he does not oppose Petitioner's request. Petitioner has also requested to be allowed to proceed *in forma pauperis*.

Petitioner may proceed *pro se* as long as he knowingly and intelligently waives his right to counsel. See *Faretta v. California*, 422 U.S. 806, 835 (1975); *State v. Brewer*, 328 S.C. 117, 119, 492 S.E.2d 97, 98 (1997). In his motion, Petitioner states he is fully aware of the dangers and disadvantages of proceeding *pro se*. Nevertheless, we take this opportunity to warn Petitioner that if he chooses to proceed *pro se*, this Court will require full compliance with all applicable rules and procedures. Failure to comply with such rules and procedures could result in the dismissal of the matter and forfeiture of the right to discretionary review. Petitioner is certain to be unlearned in other aspects of the law as well, and Petitioner would benefit from Mr. Waller's counsel. However, in light of Petitioner's informed request, we grant the motion to proceed *pro se*. Because the South Carolina Commission on Indigent Defense, Division of Appellate Defense is associated in this matter to pay for any necessary transcripts and provide copies of the petition, appendix, and briefs, we deny the motion to proceed *in forma pauperis* as unnecessary.


_____ C.J.

_____ J.

_____ J.

_____ J.

_____ J.

Columbia, South Carolina
September 14, 2022

cc:
Jonathan D Waller, Esquire
D Russell Barlow, II, Esquire
Tamarquis Wingate