

The South Carolina Court of Appeals

The State, Respondent,

v.

Diana Biernaski Jordan, Appellant.

Appellate Case No. 2023-000090

ORDER

Attorney Robert Dudek, counsel for Appellant, has filed a motion to be relieved as counsel and to allow Appellant to proceed pro se in this matter, after Appellant notified counsel she wished to proceed pro se. Appellant may proceed pro se in this matter only after knowingly and intelligently waiving the right to counsel. *See Faretta v. California*, 422 U.S. 806 (1975); *State v. Brewer*, 328 S.C. 117, 492 S.E.2d 97 (1997). We take this opportunity to warn Appellant that this Court requires pro se parties to fully comply with all applicable rules. Appellant is certain to be unlearned in other aspects of the law as well. Representation by an attorney trained in the law would be highly beneficial, and we strongly encourage Appellant to continue with representation by counsel.

After considering this information, Appellant shall, within thirty days of the date of this order, notify this court whether she wishes to proceed pro se or continue to be represented by the Division of Appellate Defense. If Appellant notifies this court that she wishes to proceed pro se, despite the dangers and disadvantages of doing so, this court will then determine if it will allow her to do so. *Cf. State v. Roberts*, 364 S.C. 583, 614 S.E.2d 626 (2005) (no right to proceed pro se on appeal). If Appellant fails to notify this court within thirty days, counsel will continue to provide representation in this matter.



FOR THE COURT

FILED
Aug 16 2023

Columbia, South Carolina

cc:

Diana Biernaski Jordan

William M. Blich, Jr., Esquire

Alan McCrory Wilson, Esquire

Robert Michael Dudek, Esquire