

# The South Carolina Court of Appeals

The State, Respondent,

v.

Alan Gregory Nix, Appellant.

Appellate Case No. 2024-001571

---

## ORDER

---

On September 18, 2024, Appellant filed a notice of appeal and an "Emergency Motion to Stay Orders and Cancel Bench Warrants," pertaining to arrest warrant 2021A1010200475 and indictments 2021GS1002599 and 2023GS1005003. Because Nix is currently represented by counsel on arrest warrant 2021A1010200475 and indictment 2023GS1005003, Petitioner's pro se appeal is not proper and this court dismisses the appeal as to those matters.<sup>1</sup> *See Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010) ("Since there is no right to 'hybrid representation' that is partially pro se and partially by counsel, substantive documents, with the exception of motions to relieve counsel, filed pro se by a person represented by counsel are not to be accepted unless submitted by counsel.").

A review of the Charleston County Public Index shows Appellant is not represented by counsel on indictment 2021GS1002599. However, because Appellant has not provided an order that is immediately appealable, this court declines to consider the motion to stay and dismisses the appeal. *See* Rule 201, SCACR (providing an appeal may "be taken . . . from any final judgment or appealable order"); *Ex parte Wilson*, 367 S.C. 7, 13, 625 S.E.2d 205, 208 (2005) ("Absent some specialized statute, the immediate appealability of an interlocutory or intermediate order depends on whether the order falls within [section]

---

<sup>1</sup> Appellant sought and received an extension of time in which to serve and file a motion to relieve counsel; however, Appellant thereafter did not serve and file said motion.

14-3-330."); *State v. Miller*, 289 S.C. 426, 426, 346 S.E.2d 705, 705 (1986) ("In South Carolina, a criminal defendant may not appeal until sentence has been imposed."). Remittitur will issue in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.



J.

---

FOR THE COURT

Columbia, South Carolina

cc:

Alan G. Nix

Alan McCrory Wilson, Esquire

Mark Reynolds Farthing, Esquire

Andrew Lineback McAllister, Esquire

Benjamin Andrew Mack, Esquire

Robert Michael Dudek, Esquire

**FILED**  
**Oct 21 2024**

---