

The Supreme Court of South Carolina

Warren Russell, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-213313

ORDER

Petitioner moves to relieve counsel and proceed *pro se* in this matter. Petitioner 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 petitioner that this Court requires *pro se* parties to fully comply with all applicable rules. Petitioner 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 petitioner to continue with representation by the Division of Appellate Defense.

After considering this information, petitioner shall, within twenty (20) days of the date of this order, notify this Court whether he wishes to proceed *pro se* or continue to be represented by the Division of Appellate Defense. If petitioner notifies this Court that he wishes to proceed *pro se* despite the dangers and disadvantages of doing so, this Court will then determine if it will allow him 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 petitioner fails to notify this Court within twenty (20) days, the Division of Appellate Defense will continue to provide representation in this matter.


C.J.
FOR THE COURT

Columbia, South Carolina

October 2, 2013

cc:

Robert Michael Dudek

Megan E. Harrigan

Warren Russell, 316802