



The Supreme Court of South Carolina

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October 18, 2013

Roger Dale Burke, #304613
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

Re: Roger Burke v. The State
Appellate Case No. 2013-001419

Dear Mr. Burke:

This responds to your recent correspondence to Chief Justice Toal dated October 10, 2013. Please be advised the Chief Justice cannot intervene in your appeal. All future correspondence should be addressed to the Clerk of Court.

With regard to your request to file a *pro se* brief, since you are represented by counsel in this matter, no action will be taken on this *pro se* filing. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989). Only if your counsel files a Johnson Petition for Writ of Certiorari in this case will you be allowed to file a *pro se* response. This Court will notify you should that happen.

Very truly yours,

David E. Shearson
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CLERK

cc: John Walter Whitmire, Esquire
Carmen Vaughn Ganjehsani, Esquire