

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County

John C. Hayes, III, Circuit Court Judge

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THE STATE,

RESPONDENT,

v.

JERMAINE T. FULLER,

APPELLANT,

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MOTION TO PROCEED PRO SE

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JERMAINE T. FULLER #338130  
B.R.C.I. Mt. 2035  
4460 Broad River Rd.  
Columbia, S.C. 29210

*Denied.*

*Jasquim Curcio* A. J.

**RECEIVED**

DEC 27 2012

**SC Court of Appeals**

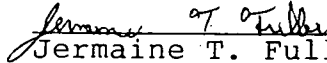
Appellant, Jermaine T. Fuller, moves this Court to grant his motion to proceed pro se. State V. Graddick, 345 S.C. 383, 548 S.E.2d 210. Appellant explained in his September 25 2012 motion to dissmis counsel, that upon receiving the transcript of the October 9, 2009 hearing, he would have a brief prepared within 30 days. That transcript was received on November 21, 2012 by appellant. Accordingly, along with this motion, appellant is filing his initial brief on the following two issues:

On Aug. 27, Did the trial court judge err in dismissing appellant's attorney per ex parte conference?

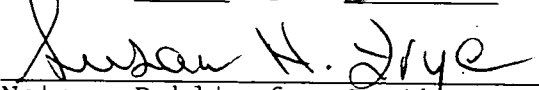
On Oct. 9, Did the trial court judge err in ruling appellant competent at competency hearing without counsel?

Appellant moves this court to remove the initial brief of his first attorney, Elizabeth Best, from the record since she is no longer representing appellant and therefore cannot defend her initial brief submitted on appellant's behalf. Appellant's second attorney, David Alexander, sees no issues to raise on appellant's behalf and has requested this appeal be taken out of abeyance. Therefore, appellant respectfully asks this Court to grant his motion to proceed pro se and accept his initial brief. Anders v. California, 386 U.S. 738.

Respectfully Submitted,

  
Jermaine T. Fuller #338130  
B.R.C.I. Mlt. 2035  
4460 Broad River Rd.  
Columbia, S.C. 29210

SUBSCRIBED AND SWORN TO before  
me this 20th day of December 2012

  
Notary Public for South Carolina

MY COMMISSION EXPIRES: \_\_\_\_\_ My Commission Expires  
March 5, 2018

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from York County

John C. Hayes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JERMAINE T. FULLER

APPELLANT,

CERTIFICATE OF SERVICE

The undersigned Appellant, Jermaine T. Fuller, hereby certifies that 6 copies of this motion in the above referenced case to proceed prose and the original copy, has been served upon V. Claire Allen, Deputy Clerk, at P.O. Box 11629, Columbia, S.C. 29211 and 1 copy to the counsels below this 20th day of December 2012.

Assistant Attorney General  
William M. Blicht Jr.  
P.O. Box 11549  
Columbia, S.C. 29211

Attorney David Alexander  
P.O. Box 11589  
Columbia, S.C. 29211

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 20th day of December 2012

Susan H. Faye  
NOTARY PUBLIC  
FOR SOUTH CAROLINA

MY COMMISSION EXPIRES

My Commission Expires  
March 5, 2018

Jermaine T. Fuller  
Jermaine T. Fuller #338130  
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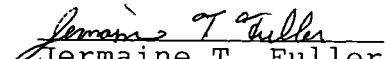
Jermaine T. Fuller  
B.R.C.I. Mlt. 2035  
4460 Broad River Rd.  
Columbia, S.C. 29210

December 20, 2012

Claire Allen  
Deputy Clerk  
P.O. Box 11629  
Columbia, S.C. 29211

Ms Allen:

Please file the following motion and brief and send me back the extra copy, stamp clocked.

  
Jermaine T. Fuller

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