

The Supreme Court of South Carolina

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November 17, 2014

Division of Appellate Defense
Office of Indigent Defense
PO Box 11589
Columbia SC 29211

Re: Cardelle T. Washington v. State
Appellate Case No. 2014-002251
Lower Court Case No. 2013CP2304177

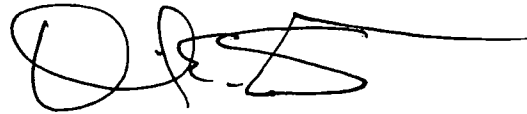
Dear Appellate Defense:

As you know, your office now represents Mr. Washington in this matter. I have enclosed a letter from Mr. Washington regarding a *pro se* Rule 59 motion that he sent to the circuit court.

Since this *pro se* motion was made by your client while he was represented by Mr. Arial, I do not intend to hold this matter in abeyance under *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986). 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. [citations omitted]. Because petitioner was represented by counsel, the *pro se* [post-trial] motion was not proper, should not have been accepted, and should not have been ruled upon. The motion was essentially a nullity. . . . We also take this opportunity to remind judges and clerks of court of our directive in *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989)]

not to accept substantive documents, with the exception of motions to relieve counsel, filed *pro se* by a party who is represented by counsel."). If you disagree, you will need to make a motion to hold this matter in abeyance.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal line extending to the right.

CLERK

Enclosure

cc: Karen Christine Ratigan, Esquire
Mr. Cardelle Tyrone Washington, #290074