

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

January 7, 2015

Mr. Richard Keith Poe, #259297
Evans Correctional Institution
610 Highway #9, West
Bennettsville SC 29512

Re: Richard Poe v. State
Appellate Case No. 2014-000737

Dear Mr. Poe:


In response to your letter dated December 23, 2014, this Court has received your *pro se* response dated December 8, 2014. This Court has also received a supplement to the *pro se* response dated January 1, 2015; an amendment to *pro se* response dated January 5, 2015; and a supplement to the *pro se* response dated January 6, 2015.

As to your *pro se* motion for expenditure of funds and the clarification to that motion, no action will be taken on these documents since you are represented by counsel in this matter. *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). Instead, if it is appropriate to order an additional transcript and then move to supplement

the appendix with that transcript, those actions will have to be taken by your counsel.¹

Finally, you have also sent this Court a request to supplement the appendix in this matter with a report and recommendation of a Federal Magistrate dated December 23, 2014. No action will be taken on request since you are represented by counsel in this matter. *Miller v. State, supra*; *Jones v. State, supra*; *State v. Stuckey, supra*; *Foster v. State, supra*. If it is appropriate to supplement the appendix in this matter with this report and recommendation, a motion to supplement the appendix will have to be filed by your counsel.

Very truly yours,

A handwritten signature in black ink, appearing to be "D. P. S.", with a long horizontal flourish extending to the right.

CLERK

cc: James Rutledge Johnson, Esquire
Robert Michael Dudek, Esquire

¹ The Appendix can only include materials that were before the post-conviction relief (PCR) judge. *Jamison v. State*, __ S.C. __, 765 S.E.2d 123 (2014); and Rule 243(f) of the South Carolina Appellate Court Rules. From the information you have provided, it does not appear that this transcript was before the PCR judge.