



ALAN WILSON
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February 9, 2015

S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, SC 29211

RE: John J. Moore v State of South Carolina –Appellate Case No. 2014-000786

Dear Mr. Shearouse:

Petitioner, John J. Moore filed a Motion to Relieve Counsel in the above-referenced PCR appeal. Please accept this letter as the State's return to Mr. Moore's motion.

Regarding Mr. Moore's request to relieve his appellate counsel, the State wishes to leave the matter to the sound discretion of this Court. However, the State notes Mr. Moore has no inherent right to represent himself in his direct criminal appeal. See State v. Roberts, 364 S.C. 583, 588, 614 S.E.2d 626, 629 (2005) ("Appellant clearly does not have a federal constitutional right to proceed pro se in this appeal from his criminal conviction. We also find there is no state constitutional provision which confers such a right."). Additionally, the State notes Mr. Moore is currently represented by Appellate Defender Benjamin J. Tripp, who is highly skilled and experienced. Furthermore, the State notes Mr. Moore's appellate counsel has already filed a Petition for Writ of Certiorari on Mr. Moore's behalf in this case and has asked this court for the opportunity to fully brief this case.

If a more formal return is desired by this Court, the State will promptly provide one upon request. Thank you, and if you should have any questions or concerns, please contact me at (803) 734-3737.



ALAN WILSON
ATTORNEY GENERAL

Sincerely,

J. Clayton Mitchell
Assistant Attorney General
Bar No. 101443

JCM

cc: Benjamin John Tripp, Esquire
John J. Moore, SCDC#: 326455
Victim Services