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S.C. Supreme Court

ALAN WILSON  
ATTORNEY GENERAL

November 19, 2015

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

RE: James E. Johnson Jr. v. State of South Carolina  
Appellate Case No. 2015-001062

Dear Mr. Shearouse:

Petitioner, James E. Johnson Jr., filed a Motion to Relieve Counsel and proceed pro se in the above-referenced appeal. Please accept this letter as the State's Return to Mr. Johnson's motion.

Regarding Mr. Johnson'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. Johnson has no inherent right to represent himself in his PCR appeal. See State v. Roberts, 364 S.C. 583, 588, 614 S.E.2d 626, 629 (2005) ("Appellant [has no] federal constitutional right to proceed pro se in this appeal from his criminal conviction. . . . [and] there is no state constitutional provision [that] confers such a right."). Additionally, the State notes Mr. Johnson is currently represented by Appellate Defender Tiffany L. Butler, who is highly skilled and experienced.

If this Court desires a more formal return, 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.

Sincerely,

Alicia A. Olive  
Assistant Attorney General  
Bar No. 102089

cc: Tiffany L. Butler, Esquire  
James E. Johnson, SCDC#: 353643  
Victim Services