



RECEIVED

APR 27 2016

SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

April 27, 2016

HAND-DELIVERED

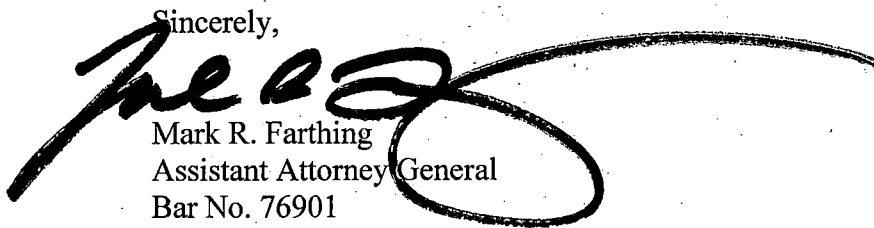
The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: State v. Ernest Maurice Allen – Appellate Case No. 2014-000165

Dear Ms. Kitchings:

On April 26, 2016, our office received a pro se petition for rehearing personally submitted by Appellant Ernest Maurice Allen for filing in the above-referenced case. However, pursuant to our records, Appellant is still currently being represented by T. Jarrett Bouchette, Esquire, and Robert M. Dudek, Esquire, in this appeal, and no motion has been filed seeking for appellate counsel to be relieved in Appellant's case. As a result, Appellant's pro se petition for rehearing constitutes an improper pro se filing and, accordingly, should not be accepted by this Court. See Miller v. State, 388 S.C. 347, 347, 697 S.E.2d 527, 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.**" (emphasis added)); cf. Foster v. State, 298 S.C. 306, 307, 379 S.E.2d 907, 907 (1989) (ordering the Clerk of Court to return a substantive pro se document filed while the petitioner was represented by counsel). If the Court desires a more formal return from the State or needs any additional information, please contact me at (803) 734-3727.

Sincerely,



Mark R. Farthing
Assistant Attorney General
Bar No. 76901

MRF/

cc: T. Jarrett Bouchette, Esquire
Robert M. Dudek, Esquire
Ernest Maurice Allen, Inmate No. 310134
Victim Services