

# The Supreme Court of South Carolina

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August 4, 2016

Chuck Edward McCullough, #31608  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899

Re: Chuck Edward McCullough v. State  
Appellate Case No. 2016-001416


Dear Petitioner:

This is in response to your letter dated July 25, 2016, in which you requested clarification of the letter dated July 18, 2016. In that letter, you were advised that this Court would take no action on your *pro se* motion to remand because you are represented by counsel in this matter. As the cases cited in the letter hold, because there is no right to "hybrid representation" (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 accepted. Because you are represented by counsel in this appeal from the denial of your application for post-conviction relief (PCR), the Court did not accept your *pro se* motion.

This Court allows *pro se* filings in limited cases. In *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006), this Court held a *pro se* explanation under Rule 243(c), South Carolina Appellate Court Rules (SCACR) is permitted when counsel is unable to set forth any arguable basis to show a finding that a PCR application was successive and barred by the limitations was improper. The appellate courts of this State also allow a *pro se* explanation under Rule 203(d)(1)(B)(iv), SCACR, which

requires a written explanation in an appeal from a guilty plea showing that there is an issue which can be reviewed on appeal. This is why you were permitted to respond *pro se* in your direct appeal.

Very truly yours,

A handwritten signature in cursive script that reads "Brenda J. Shealy". The signature is written in black ink and is centered on the page.

CHIEF DEPUTY CLERK

cc: Alicia A. Olive, Esquire  
Robert Michael Dudek, Esquire  
Chuck Edward McCullough, #311608