

The Supreme Court of South Carolina

Vincent Missouri, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-002037

Lower Court Case No. 2015CP2305901

ORDER

Petitioner has sent this Court a *pro se* motion seeking leave to file a motion under Rule 60(b) of the South Carolina Rules of Civil Procedure (SCRCP). Since petitioner was represented at the time this motion for leave was made,¹ this *pro se* motion was improper, and it is hereby stricken and dismissed. *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). If it is appropriate to seek leave, the motion seeking that relief will have to be made by the Division of Appellate Defense.



C.J.

FOR THE COURT

Columbia, South Carolina
November 7, 2016

cc: Patrick Lowell Schmeckpeper, Esquire
Robert Michael Dudek, Esquire
Mr. Vincent Missouri, #197996

¹ R. Mills Ariail, Jr., Esquire, was petitioner's counsel before the circuit court. Under Rule 71.1(g), SCRCP, and Rule 264 of the South Carolina Appellate Court Rules (SCACR), Mr. Ariail remained as petitioner's counsel of record until the Division of Appellate Defense assumed responsibility for providing representation, and Appellate Defense is currently representing petitioner in this case.