



ALAN WILSON  
ATTORNEY GENERAL

December 13, 2016

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SC Court of Appeals

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

RE: State v. August Byron Kreis, III – Appellate Case No. 2015-002340

Dear Ms. Kitchings:

On December 12, 2016, Appellant August B. Kreis, III, filed a Motion to Relieve Counsel in the above-referenced criminal appeal. Please accept this letter as the State's return to Mr. Kreis's motion.

Regarding Mr. Kreis's request to relieve his appellate counsel, the State wishes to leave the matter to the sound discretion of this Court. However, the State acknowledges Mr. Kreis 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.").

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) 734-3727.

Sincerely,

V. Henry Gunter, Jr.  
Assistant Attorney General  
Bar No. 102259

cc: Robert Dudek  
August B. Kreis, III, Inmate #365998  
Victim Services