



# The Supreme Court of South Carolina

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March 9, 2017

Mr. Samuel Brown, Jr., #254907  
MacDougall Correctional Institution  
1516 Old Gilliard Road  
Ridgeville SC 29472

Re: Samuel Brown v. State  
Appellate Case No. 2016-001477

Dear Mr. Brown:

This responds to your letter dated February 27, 2017. From the information you have provided, it appears that this letter is related to the above case.

Since you are currently represented by counsel in this matter, the only response that I can make to your letter is that any motion to be admitted to bail under Rule 243(k) will have to be filed by that counsel. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010);<sup>1</sup> *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v.*

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<sup>1</sup>"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. [citations omitted]. Because petitioner was represented by counsel, the *pro se* motion was not proper, should not have been accepted, and should not have been ruled upon. The motion was essentially a nullity. . . . We also take this opportunity to remind judges and clerks of court of our directive in *Foster* not to accept substantive documents, with the exception of motions to relieve

*Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

As to your concern about having some further investigation, I think you misunderstand the nature of this appellate proceeding. I would encourage you to discuss this with your counsel.

Very truly yours,



CLERK

cc: LaNelle Cantey DuRant, Esquire  
Alicia A. Olive, Esquire

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counsel, filed *pro se* by a party who is represented by counsel."