

The Supreme Court of South Carolina

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December 06, 2012

Robert A. LaRoche, 330657
#330647
Turbeville Correctional Institution
P O Box 252
Turbeville SC 29162

Re: Robert A. LaRoche v. The State
Appellate Case No. 2011-201590

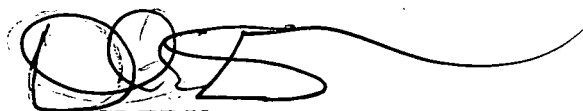
Dear LaRoche:

This responds to your correspondence dated November 21, 2012. Since you are represented by counsel in this matter, no action will be taken on this *pro se* filing. *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). Instead, if it is appropriate to seek any relief from this Court regarding the *pro se* motions that you have filed in the circuit court, that relief will have to be sought by your counsel.

Since you were represented by counsel at the time these *pro se* motions were made, the above cases may also explain why the lower court has not considered these motions. *Miller, supra* ("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 counsel, filed *pro se* by a party who is represented by counsel.").

Very truly yours,



CLERK

cc: David A. Spencer, Esquire
Robert M. Pachak, Esquire