



The South Carolina Court of Appeals

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COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 13, 2017

Mr. William G. Yarborough, III, Esquire
522 North Church Street
Greenville SC 29601

Mr. William Norman Nettles, Esquire
2008 Lincoln Street
Columbia, SC 29201

Re: The State v. Ontavious Plumer
Appellate Case No. 2017-000481

Dear Counsel:

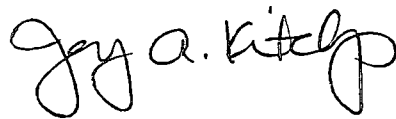
Upon review of this appeal, there is confusion regarding the representation of the appellant. Our records reflect William G. Yarborough, III, is counsel for the appellant pursuant to Rule 264 of the South Carolina Appellate Court Rules (SCACR). Mr. Yarborough has indicated that William Norman Nettles is taking over representation of the appellant, and we have received a letter from Mr. Nettles. However, Mr. Nettles' letter did not expressly state that he is making a notice of appearance in this appeal nor did it include Mr. Nettles' SC Bar number, which we need to note Mr. Nettles as counsel of record for the appellant. Further, if Mr. Yarborough wishes to be relieved of his duties to the appellant, he must file a motion to be relieved as counsel.

To complicate matters further, we have asked Mr. Yarborough to provide proof of having ordered the transcript as required by Rule 207, SCACR. To date, Mr. Yarborough has not responded to our letter. However, the appellant himself sent in a handwritten letter indicating that he has received the transcript. Because our

records indicate that Mr. Plumer is represented by counsel, we cannot accept his filing as proof of compliance with Rule 207, SCACR. *See Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010) (prohibiting acceptance of documents filed pro se by a represented party).

Within ten days of the date of this letter, Mr. Nettles must file a notice of appearance and assume representation of the appellant or we will presume the appellant is proceeding under the representation of Mr. Yarborough. Within the same time period, counsel for the appellant must also clarify the status of the transcript so that we may calculate the due dates for the appellant's initial brief and designation of matter.

Very truly yours,

A handwritten signature in black ink that reads "Jay A. Kitch". The signature is written in a cursive, flowing style.

CLERK

cc: Robert Michael Dudek, Esquire
Elizabeth Phillips White, Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire
Ontavious Plumer, #354585