

The Supreme Court of South Carolina

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November 01, 2017

Mr. Keith Adger Smyth, 363756
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

Re: Keith A. Smyth v. State
Appellate Case No. 2017-000894

Dear Smyth:

This responds to your recent letter.

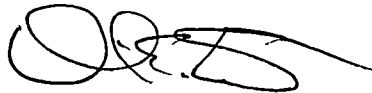
If you do not understand this Court's restrictions relating to hybrid representation, I would encourage you to read the cases of *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); and *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

The appendix filed by your counsel contains the only evidentiary documents that this Court will consider in this matter. If there are documents that were presented to the post-conviction relief (PCR) judge that are not in the appendix, I would encourage you to contact your counsel so that he can determine if it is appropriate to move to supplement the appendix. I do direct your attention to the fact that the appendix cannot contain any material that was not part of the record before the PCR judge. *Jamison v. State*, 410 S.C. 456, 765 S.E.2d 123 (2014).

This Court has received your *pro se* response dated September 13, 2017. You will be advised when the Court takes action in this case. Due to the number of pending cases, it may be sometime before the Court considers this case.

As requested, I am returning a copy of your *pro se* motion.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

Enclosure

cc: Valerie Garcia Giovanoli, Esquire (with copy of correspondence)
Robert M. Pachak, Esquire (with copy of correspondence)