

The South Carolina Court of Appeals

The State, Respondent,

v.

Jonathan Cleodis Johnson, Appellant.

Appellate Case No. 2018-000606

ORDER

Debra Johnson, Appellant's mother, filed a notice of appeal on behalf of her son. First, because Ms. Johnson is not an attorney licensed to practice law in this state, she cannot file a notice of appeal on her son's behalf. *See Brown v. Coe*, 365 S.C. 137, 142, 616 S.E.2d 705, 708 ("[T]he filing of a notice of appeal . . . and preparation of briefs that will be required to further perfect this appeal clearly constitutes the practice of law as defined by [the Supreme Court]."); S.C. Code Ann. § 40-5-310 (Supp. 2017) ("No person may either practice law or solicit the legal cause of another person or entity in this State unless he is enrolled as a member of the South Carolina Bar. . . .").

Second, our review of the trial court index reveals Appellant is already represented by attorney Jacqueline Alicia Moss, Esquire. Pursuant to the prohibition on hybrid representation, we cannot accept pro se filings from Appellant. *See Miller v. State*, 388 S.C. 347, 347, 697 S.E.2d 527, 527 (2010) ("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."); Rule 264, SCACR (stating the attorney of record in the trial court remains counsel of record on appeal until withdrawal is approved and notice is given).

Accordingly, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

 , J.
FOR THE COURT

Columbia, South Carolina

cc:

Jacqueline Alicia Moss, Esquire
Robert Michael Dudek, Esquire
Barry Joe Barnette, Esquire
Alan McCrory Wilson, Esquire
John Benjamin Aplin, Esquire
Debra Johnson

FILED
