

The South Carolina Court of Appeals

The State, Respondent,

v.

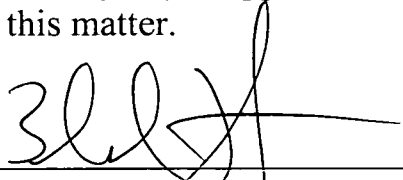
Kevin Herriott, Appellant.

Appellate Case No. 2019-000969

ORDER

Appellant moves to relieve counsel and proceed pro se in this matter. Appellant may proceed pro se in this matter only after knowingly and intelligently waiving the right to counsel. *See Faretta v. California*, 422 U.S. 806 (1975); *State v. Brewer*, 328 S.C. 117, 492 S.E.2d 97 (1997). We take this opportunity to warn Appellant that this court requires pro se parties to fully comply with all court rules and procedures. Appellant may be unlearned in other aspects of the law as well. Therefore, representation by an attorney trained in the law would be highly beneficial, and we strongly encourage Appellant to continue with representation by an attorney.

After considering this information, Appellant shall, within thirty days of the date of this order, notify this court whether he wishes to proceed pro se or continue to be represented by current counsel. If Appellant notifies this court that he wishes to proceed pro se despite the dangers and disadvantages of doing so, this court will then determine if it will allow him to do so. *See State v. Roberts*, 364 S.C. 583, 614 S.E.2d 626 (2005) (holding there is no federal or state constitutional right to proceed pro se on appeal in a criminal matter, rather, it is in the court's discretion). If Appellant fails to notify this court within thirty days, Appellant's current counsel will continue to provide representation in this matter.



FOR THE COURT

Columbia, South Carolina

FILED

February 7, 2020

cc:

Alan McCrory Wilson, Esquire

William M. Blich, Jr., Esquire

Lara Mary Caudy, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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February 07, 2020

Kevin Herriott, 313862
Kirkland Correctional Institution
4344 Broad River Road
Columbia SC 29210

Re: The State v. Kevin Herriott
Appellate Case No. 2019-000969

Dear Mr. Herriott:

Enclosed is the order of the Court.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Alan McCrory Wilson, Esquire
William M. Blich, Jr., Esquire
Lara Mary Caudy, Esquire