



The Supreme Court of South Carolina

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BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499

October 20, 2020

Mr. Dennis Rodger Davis, Jr., 00288558
Kershaw Correctional Institution
4848 Gold Mine Hwy
Kershaw SC 29069

Re: Dennis R. Davis, Jr. v. State
Appellate Case No. 2020-001116

Dear Mr. Davis:

In light of the explanation you have provided under Rule 243(c) of the South Carolina Appellate Court Rules, this matter will be allowed to proceed.

While you proceeded *pro se* (that is, you represented yourself without counsel) below, I would strongly encourage you to obtain counsel to represent you in this appellate proceeding. If you intend to retain counsel, you should advise this Court of the name of this retained counsel within fifteen (15) days of the date of this letter.

If you cannot afford counsel and desire to be represented by counsel, you must complete the enclosed affidavit of indigency, and return it to this office within fifteen (15) days of the date of this letter. The Division of Appellate Defense of the South Carolina Office of Indigent Defense will use this document to determine if you qualify to have appointed counsel.

If you desire to proceed *pro se* in this case, you will need to advise this Court of this desire within fifteen (15) days of the date of this letter. The Court will not allow you to proceed without counsel unless it finds you are making a knowing

and intelligent waiver of 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).

I warn you that there are many dangers and disadvantages to proceeding *pro se* in this case. If you are allowed to proceed *pro se*, this Court will require full compliance with all applicable rules and procedures, and failure to comply with such rules and procedures could result in the dismissal of the matter and forfeiture of the right to discretionary review. Further, since you are untrained in the law, having an attorney represent you in this case would be highly beneficial, and I would strongly encourage you either retain counsel or seek to have counsel appointed if you are indigent.

If you fail to make one of the responses outlined above within fifteen (15) days of the date of this letter, the Court could find that you have waived your right to be represented by counsel in this appellate case. Pending your response to this letter, the time limits for perfecting this appellate case will be held in abeyance.

Very truly yours,

A handwritten signature in black ink, appearing to be "D. E. [unclear]", written in a cursive style.

CLERK

Enclosure

cc: Brianna Lynn Schill, Esquire