

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

**RECEIVED**

JAN 14 2021

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas  
J. Derham Cole, Circuit Judge

S.C. SUPREME COURT

Case No.: 2015-CP-42-04699

John Garvin..... Appellant-Petitioner,

v.

The State of South Carolina..... Appellee-Respondent.

MOTION TO PROCEED AS PRO-SE

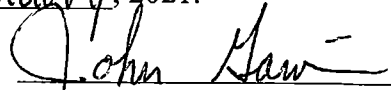
To: Mr. Johnny E. James, Jr., Asst. Att’y. General, Attorney for Respondent.

YOU WILL PLEASE TAKE NOTICE, that upon the affidavit of John Garvin, sworn to on the 3<sup>rd</sup> day of January, 2021, proceeding as pro-se and can be heard, will move before the Honorable Supreme Court of South Carolina, for an Order granting this Motion to Proceed as Pro-se in this matter. As grounds for this Motion, Appellant would state the following: Appellant hereby wants to waive his right to counsel and wants to proceed as pro-se, pursuant to State v. Brewer, 338 S.C. 117, 492 S.E.2d 97 (S.C., 1997) (citing Faretta v. California, 422 U.S. 806, 95 S.Ct. 2525 (1975), and on S.C. Code Ann. § 17-23-60, on his Petition for Writ for Certiorari, that’s before this Court.

In addition, Appellant wants to exercise his right to terminate his attorney is pursuant to the clear language of Rule – 1.16(a)(3), RPC of Rule – 407, SCACR, and waives his right to counsel, to proceed as pro-se, pursuant to S.C. Code Ann. § 17-23-60 and my Sixth Amendment right to self-representation.

This Motion to Proceed as Pro-se is made and based on this notice, the attached motion, and the affidavit of John Garvin, copies of which are served with this notice, and on the pleadings paper, records, and files in this action.

**RESPECTFULLY SUBMITTED** on this 11 day of January, 2021.



**John Garvin, # 355509, Pro-se**  
**Lieber Correctional Institution**  
**136 Wilborn Ave.**  
**Ridgeville, S.C. 29472**