## THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

## THE STATE OF SOUTH CAROLINA In The Court of Appeals

The State, Respondent,
V.
Derekee Johnson, Appellant.
Appellate Case No. 2014-000920
Appeal From Fairfield County R. Knox McMahon, Circuit Court Judge
Unpublished Opinion No. 2017-UP-125 Submitted February 1, 2017 – Filed March 22, 2017

## **AFFIRMED**

R. Morrison Payne, of R. Morrison M. Payne, of Walterboro; and Chief Appellate Defender Robert M. Dudek, of Columbia, for Appellant.

Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, and Senior Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia; and Solicitor Randy E. Newman, Jr., of Lancaster, for Respondent.

**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *State v. Devore*, 416 S.C. 115, 118-19, 784 S.E.2d 690, 692 (Ct. App. 2016) (holding defendant's pro se letter requesting a mistrial was a substantive document filed while he was represented by counsel, and thus letter was improper "hybrid representation" and a legal nullity that could not be accepted as a proper notice of appeal or a post-trial motion); *Jackson v. Speed*, 326 S.C. 289, 306, 486 S.E.2d 750, 759 (1997) ("[I]t is the responsibility of trial counsel to preserve issues for appellate review.").

AFFIRMED.<sup>1</sup>

LOCKEMY, C.J., and HUFF and THOMAS, JJ., concur.

\_

<sup>&</sup>lt;sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.