

Court of Appeals of the State of Georgia

ATLANTA, MAY 6, 1998

The Court of Appeals hereby passes the following order:

A98A1273. TAYLOR v. THE STATE.

Defendant has made a motion to dismiss his appellate counsel and to proceed pro se on appeal. "Georgia courts have long held that one represented by counsel on appeal does not have the right to independently conduct his own defense and have both considered by this court. In Cherry v. Coast House, Ltd., 257 Ga. 403 (359 SE2d 904) (1987), the Supreme Court held that members of the bar are excepted to some extent from the rule and may participate in their own representation although represented by counsel. Even in such cases, however, courts are not required to accept random appearance and filings by both the client and his attorneys. [Defendant] is not an attorney and this Court will not accept his 'random filings.' It is apparent that [defendant] has not coordinated his appellate strategy with that of his counsel, nor has he moved the trial court to allow him to appeal pro se." (Citations and punctuation omitted.) Mallory v. State, 225 Ga. App. 418, 420 (483 SE2d 907) (1997).

Further, the arguments raised by defendant in support of his motion go the legal strategy of his appellate counsel and they do not equate with ineffective assistance of counsel. See Mency v.

State, 228 Ga. App. 640, 645 (492 SE2d 692) (1997); Penaranda v. State, 203 Ga. App. 740 (417 SE2d 683) (1992). Therefore, defendant's pro se motion is dismissed.

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Clerk's Office, Atlanta MAY 6 1998

I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Clerk.

Will: L. Martin, Jr.