Court of Appeals
of the State of Georgia

ATLANTA, March 22, 2016

The Court of Appeals hereby passes the following order:

A16A1152. MICHAEL CARR v. THE STATE.

Michael Carr pled guilty to aggravated stalking and terroristic threats. He later moved to withdraw the guilty plea, but the trial court denied his motion. Carr appealed to this Court. We affirmed the trial court's ruling, but remanded for the court to consider Carr's claim of ineffective assistance of counsel. See *Carr v. State*, Case No. A12A0647, decided April 19, 2012. On remand, the trial court entered an order rejecting Carr's ineffective assistance claim. Carr appealed again, but we dismissed the appeal as untimely. See *Carr v. State*, Case No. A13A1801, decided May 22, 2013.

Back in the trial court, Carr filed a pro se motion for copies of any official domestic violence reports made about him pursuant to OCGA § 17-4-20.1. The trial court denied the request on the ground that Carr had no right to file a pro se motion because he was represented by counsel. The court acknowledged that counsel had filed a request to withdraw, but noted that "[t]he request has yet to be ruled on." Still proceeding pro se, Carr appeals.

A criminal defendant does not have the right to represent himself while also being represented by an attorney. See *Tolbert v. Toole*, 296 Ga. 357, 361-363 (3) (767 SE2d 24) (2014); *Jacobsen v. Haldi*, 210 Ga. App. 817, 818-819 (1) (437 SE2d 819) (1993). Nothing in the record indicates that Carr's attorney has been permitted to withdraw. Accordingly, his pro se notice of appeal is a nullity, see id., and this appeal is therefore DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 03/22/2016

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.

Stephen E. Castlen, *Clerk.*