

The South Carolina Court of Appeals

Michael Boykin, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2019-002057

ORDER

This matter is before the Court on a petition for a writ of certiorari. Based on the vote of the panel, the petition for a writ of certiorari is denied as to Question 1 and granted as to Question 2. As to Question 2, we dispense with further briefing on the petition for certiorari, and this court will proceed with its review of Petitioner's direct appeal pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986). Petitioner shall file his initial appellant's brief within thirty days of this order. *See Davis*, 288 S.C. at 291, 342 S.E.2d at 60 ("In [PCR] cases in which the [PCR court] finds that the applicant is *not* entitled to a *White v. State* review, . . . the applicant shall not file a brief addressing the direct appeal issues unless certiorari is granted on the *White v. State* issue.").

FOR THE COURT

BY Jerry A. Litchy
CLERK

Columbia, South Carolina

cc:
Wanda H. Carter, Esquire
Alan McCrory Wilson, Esquire

FILED
Aug 12 2022

D Russell Barlow, II, Esquire
The Honorable Diane Schafer Goodstein