



# The Supreme Court of South Carolina

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June 03, 2013

Robert Mills Ariail, Esquire  
54 Forest Lane  
Greenville SC 29605

Re: Tedric Delvion Hill v. State  
Appellate Case No. 2013-001168  
Lower Court Case No. 2011-CP-23-02120

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

Based on the order on appeal, the only issue that was pursued at the evidentiary hearing was the allegation seeking a belated direct appeal under White v. State. The post-conviction relief judge determined that petitioner is entitled to a belated direct appeal from the guilty pleas.

However, to pursue an appeal from a guilty plea, petitioner would have to “provide a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal.” Rule 203(d)(1)(B),

SCACR (explanation required when an appeal is taken from a guilty plea, Alford plea, or plea of nolo contendere). Therefore, I ask that you please provide the explanation required for a guilty plea appeal within fifteen (15) days of the date of this letter.<sup>1</sup>

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm](http://www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm). Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

cc: Karen Christine Ratigan, Esquire

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<sup>1</sup> In the event you determine that you do not have a good faith explanation to provide, I would recommend that you follow a procedure similar to that provided for in Dennison v. State, 371 S.C. 221, 639 S.E.2d 35 (2006), for the explanation required by Rule 243(c), SCACR. This will give the petitioner an opportunity to provide a pro se explanation for allowing an appeal from the guilty pleas.