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OCT 11 2023

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Vernon T. Harrison, #333555,

Applicant,

v.

State of South Carolina,

Respondent.

) IN THE COURT OF COMMON PLEAS SUPREME COURT
) FOR THE FIFTH JUDICIAL CIRCUIT

) CASE NO. 2023-CP-40-434

FINAL ORDER OF DISMISSAL

JEANETTE
C.P., G.S. 17-117
2023 AUG 23 AM 10:12
RICHLAND COUNTY
FILED

This matter comes before this Court by way of a post-conviction relief (PCR) action commenced by Vernon T. Harrison (Applicant), filed on January 26, 2023. Respondent made its Return and Motion to Dismiss on June 5, 2023, requesting this action be summarily dismissed because it was procedurally barred as successive to Applicant's previous PCR applications and for failing to comply with the Uniform Post-Conviction Procedures Act, S.C. Code Ann. § 17-27-10 et seq. (2014).

Pursuant to this request, and after reviewing the pleadings in this matter and all of the records attached thereto, this Court issued a Conditional Order of Dismissal filed on June 8, 2023, provisionally denying and dismissing this action while giving Applicant twenty days from the date of service of said order in which to show why the Conditional Order of Dismissal should not become final. Attached to this Final Order and incorporated herein by reference is an affidavit of service dated June 27, 2023, indicating the State served the above-mentioned Conditional Order of Dismissal on Applicant.

Applicant failed to ~~timely~~ file a response to the Conditional Order of Dismissal with the Richland County Clerk of Court.

Before the Court will hold an evidentiary hearing, Applicant must make a *prima facie*

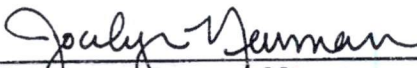
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showing that he is entitled to relief. Welch v. MacDougall, 246 S.C. 258, 143 S.E.2d 455 (1965); Blandshaw v. State, 245 S.C. 385, 140 S.E.2d 784 (1965). Applicant has failed to make such a showing ~~based on the information set forth in his responses~~^{gn}, and, therefore, he is not entitled to an evidentiary hearing in this matter. Accordingly, this Court finds no reason why the Conditional Order of Dismissal should not become final.

IT IS THEREFORE ORDERED that for the reasons set forth in the Court's Conditional Order of Dismissal in addition to the reasons set forth in this Final Order of Dismissal, the Application for post-conviction relief is hereby **DENIED AND DISMISSED WITH PREJUDICE**.

This Court hereby advises Applicant that he must file and serve a notice of appeal within thirty days of the service of this Order to secure appellate review. See Rule 203, SCACR. Applicant's attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

AND IT IS SO ORDERED this 15th day of August, 2023.



HONORABLE JOCELYN NEWMAN
Chief Administrative Judge
Fifth Judicial Circuit

Columbia, South Carolina.

Vernon Harrison #333555 PB-13
Kershaw Correctional Institution
4848 Goldmine Hwy
Kershaw, SC 29067

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South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

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