

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

The State, Petitioner,

v.

Demontay Markeith Payne, Respondent.

Appellate Case No. 2021-001097

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal From Barnwell County
Doyet A. Early, III, Circuit Court Judge

Opinion No. 2023-MO-014
Heard October 4, 2023 – Filed October 18, 2023

**CERTIORARI DISMISSED AS IMPROVIDENTLY
GRANTED**

Attorney General Alan Wilson, Deputy Attorney General Donald J. Zelenka, Senior Assistant Deputy Attorney General Melody Jane Brown, Assistant Attorney General William Joseph Maye, all of Columbia, and Solicitor John William Weeks of Aiken, for Petitioner.

Breen R. Stevens, of Columbia, for Respondent.

PER CURIAM: We issued a writ of certiorari to review the court of appeals' decision in *State v. Payne*, 434 S.C. 121, 862 S.E.2d 81 (Ct. App. 2021). We now dismiss the writ as improvidently granted.

DISMISSED AS IMPROVIDENTLY GRANTED.

BEATTY, C.J., KITTREDGE, FEW, JAMES and HILL, JJ., concur.