

The South Carolina Court of Appeals

Herbert Smalls, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2022-001151

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 granted as to Petitioner's Question 1 and Question 2. Additionally, the parties are directed to brief the question of whether Judge Young's order finding the plea hearing record had been sufficiently reconstructed was immediately appealable. The parties shall proceed to serve and file the appendix and briefs as provided by Rule 243(j), SCACR.

FOR THE COURT

BY *Catherine Janine*
CLERK

Columbia, South Carolina

cc:

Elizabeth Anne Franklin-Best

Susan Ranee Saunders

Joshua Abraham Edwards

The Honorable Jenny Abbott Kitchings

FILED
Mar 19 2024
