



The South Carolina Court of Appeals

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June 25, 2024

Mr. Tommy Arthur Thomas, Esquire
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Mr. Joshua Abraham Edwards, Esquire
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Re: Cassie Cunningham v. State
Appellate Case No. 2022-001435

Dear Counsel:

Please be advised our records indicate that petitioner has not filed a petition for writ of certiorari in this case on whether the post-conviction relief judge correctly found that petitioner's right to appellate review of a previous post-conviction relief order was not knowingly and intelligently waived. See *King v. State*, 308 S.C. 348, 349, 417 S.E.2d 868, 869 (1992) (explaining the procedure to follow when review is sought pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991), and providing that "[w]hen the post-conviction relief judge has affirmatively found that the right to appellate review of a previous post-conviction relief order was not knowingly and intelligently waived, the petition shall raise this question along with all other questions petitioner seeks to have reviewed from that order" and the contemporaneous filing of an Austin petition addressing the questions from the previous post-conviction relief order). Therefore, petitioner should proceed to serve and file the petition for writ of certiorari within 30 days of the date of this letter, with any return being due 30 days from the file date of petitioner's petition.

Very truly yours,

Catherine Hamisa, deputy

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