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Aug 13 2024

S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

August 13, 2024

The Honorable Patricia A. Howard  
Clerk of Court, Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211  
(by email only – [supctfilings@sccourts.org](mailto:supctfilings@sccourts.org))

**Re: Edward Kirk, Jr., #368801 v. State of South Carolina**  
**Appellate Case No: 2022-001823**  
**Lower Case No: 2021-CP-40-02769**

Dear Ms. Howard:

On August 12, 2024, Petitioner Edward Kirk, Jr., filed a Petition for Writ of Certiorari in the above-referenced case seeking affirmance of the post-conviction relief judge's order granting him belated review pursuant to White v. State, 263 S.C. 110, 2087 S.E.2d 35 (1974). On that same date, Petitioner filed an Anders Brief of Appellant Pursuant to White v. State raising a direct appeal issue.

The State does not contest the granting of the belated appellate review in Petitioner's case. Accordingly, please accept this letter in lieu of a formal return to Petitioner's Petitioner for Writ of Certiorari. However, in the event the Court desires a more formal return to the petition, undersigned counsel is fully prepared to promptly provide one upon request.

Furthermore, the State does not intend to respond to Petitioner's Anders Brief of Appellant Pursuant to White v. State unless the Court desires a formal return to that brief.

Sincerely,

D. Russell Barlow, II  
Assistant Attorney General  
SC Bar #105228

cc: Jessica M. Saxon, Esquire (by email only)