

STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable Clifton Newman, Circuit Court Judge

Case No. 2020-CP-21-2592

Eddie Blash,Petitioner,

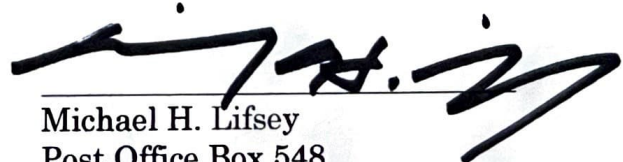
v.

State of South Carolina,Respondent.

EXPLANATION REQUIRED PURSUANT TO RULE 243(c)

The Court's determinations that Petitioner's post-conviction relief action was barred as successive and untimely under the statute of limitations were incorrect for the following reasons. The application was not successive because, at his 2014 PCR hearing, Petitioner was granted a belated appeal of his 2012 sentencing hearing. The Court of Appeals ruled that the issue he raised on that belated appeal was not preserved for appellate review. Unpublished Opinion No. 2020-UP-281. Therefore, this PCR action was Petitioner's first opportunity to raise this issue. The application is not untimely because it was filed on November 12, 2020. The Court of Appeals decision in Unpublished Opinion No. 2020-UP-281 was issued on October 7, 2020 and the remittitur was sent on October 29, 2020. This was within the statute of limitations requirement of South Carolina Code Section 17-27-45(A).

8/22, 2024



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