

The South Carolina Court of Appeals

Harold Cartwright, Respondent,

v.

State of South Carolina, Petitioner.

Appellate Case No. 2022-001088

ORDER

This matter is before the Court on a petition for a writ of certiorari. Based on the vote of the panel, we grant the petition, dispense with further briefing, and remand the case to the PCR court for the issuance of a new order which includes individualized analyses of deficiency and prejudice for each allegation of ineffective assistance and citation to relevant authority supporting the findings of the PCR court. The order shall be entered within forty-five (45) days of this court's mailing of the remittitur. *See Strickland v. Washington*, 466 U.S. 668, 687 (1984) (explaining a PCR applicant claiming ineffective assistance of counsel must show: (1) counsel's performance was deficient because it fell below an objective standard of reasonableness; and (2) there is a reasonable probability that, but for counsel's errors, the result of the proceeding would have been different); *id.* at 686 ("Failure to make the required showing of either deficient performance or sufficient prejudice defeats the ineffectiveness claim."); *Fishburne v. State*, 427 S.C. 505, 517, 832 S.E.2d 584, 590 (2019) (remanding a case back to the PCR court for a supplemental order setting forth findings of fact and conclusions of law which were not addressed in the original PCR order).

FOR THE COURT

BY


CLERK

Columbia, South Carolina

FILED
Sep 19 2024

cc:

Dayne C. Phillips, Esquire

Zachary William Jones, Esquire

The Honorable Robert J. Bonds