

The Supreme Court of South Carolina

Donovan Henderson, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-198187

ORDER

This matter is before the Court on a petition for a writ of certiorari following the denial of petitioner's application for post-conviction relief.

Petitioner's counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner does not object to counsel's request for permission to withdraw.

Petitioner's counsel alleges plea counsel was ineffective for failing to file a notice of appeal from petitioner's negotiated guilty plea. Petitioner has also filed a *pro se* petition, alleging he did not voluntarily and intelligently enter his guilty plea.

After careful consideration of the entire record as required by *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), we find no issues of arguable merit. We further find a direct appeal would, in any event, be to no avail, for the circuit court had subject matter jurisdiction to accept petitioner's guilty plea and the direct appeal issue is without merit. We deny the petition for a writ of certiorari and grant counsel's request to withdraw.


FOR THE COURT C.J.

Columbia, South Carolina

October 17, 2013

cc:

Ashleigh R. Wilson, Esquire

Robert M. Pachak, Esquire

Donovan Henderson, #199129