

The Supreme Court of South Carolina

Terry Donald Davis, Petitioner,

v.

State of South Carolina, Respondent.

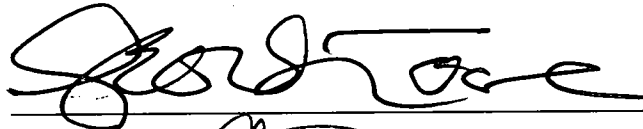
Appellate Case No. 2012-212078


ORDER

By order dated July 25, 2013, in response to petitioner's motion to dismiss this matter, we advised petitioner of the ramifications of dismissing the appeal. Petitioner was also advised that he may raise any issues regarding the trial transcript used at the hearing on his application for post-conviction relief in his petition for a writ of certiorari if he chooses to proceed. Petitioner was directed to notify this Court within thirty days if he still wished to dismiss this matter in light of the information provided regarding the consequences of such action. Petitioner did not notify this Court of his intentions within the prescribed time period.

Petitioner has now filed a motion to remand. The motion is denied. Moreover, no further motions regarding the trial transcript in this matter will be accepted for filing.

In light of petitioner's failure to respond to this Court's earlier order addressing petitioner's motion to dismiss, it is presumed petitioner wishes to proceed with this matter. Accordingly, petitioner shall serve and file his petition for a writ of certiorari and the appendix within thirty days of the date of this order or the matter will be dismissed.


C.J.


J.

Terry Donald Davis J.
John Mitchell J.
Jaye St. James J.

Columbia, South Carolina

November 6, 2013

cc:

David A. Spencer, **Esquire**

Terry Donald Davis, #197349