



The Supreme Court of South Carolina

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November 14, 2013

Mr. Lonnie Geter, 288401
Perry Correctional Institution
430 Oaklawn Road
Pelzer SC 29669

Re: Lonnie Geter v. State
Appellate Case No. 2013-002215

Dear Mr. Geter:

This Court has received your explanation under Rule 243(c) of the South Carolina Appellate Court Rules (SCACR). In this explanation, you assert, in part, that you are entitled to a belated direct appeal from your guilty plea in 1991-GS-42-03059 and from your plea of nolo contendere in 1998-GS-42-02304 under *White v. State*, 263 S.C. 110, 208 S.E.2d 35 (1974). Such a claim is not subject to the post-conviction relief statute of limitations. *Wilson v. State*, 348 S.C. 215, 559 S.E.2d 581 (2002).

I do not, however, see where this issue was ruled on by the PCR judge in either the conditional order of dismissal or the final order. Therefore, I ask that you please provide this Court with a copy of the documents showing that this issue was both raised to and ruled on by the PCR judge.

Further, in an appeal from a guilty plea or nolo plea, you would have to "provide an explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual

basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal.” Rule 203(d)(1)(B), SCACR (explanation required when an appeal is taken from a guilty plea, *Alford* plea, or plea of nolo contendere).

Therefore, I ask that you please provide an explanation for an appeal from your guilty plea and an explanation for an appeal from your plea of nolo contendere. Please provide a separate explanation for each plea.

The requested documents and explanations should be provided to this Court within twenty (20) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

cc: Suzanne H. White, Esquire