

# The Supreme Court of South Carolina

Justin Harshaw, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-001867

Lower Court Case No. 2009-CP-40-04442

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## ORDER

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This post-conviction relief (PCR) case involves a 2003 guilty plea. Except for the claim that petitioner is entitled to a belated appeal under *White v. State*, 263 S.C. 110, 208 S.E.2d 35 (1974), the lower court determined that all other claims are barred as being untimely under the statute of limitations. As to the *White v. State* claim, the lower court determined that petitioner is not entitled to a belated appeal from his guilty plea.

Counsel for petitioner has filed documents with this Court indicating that he is unable to provide the explanation required under Rule 243(c) of the South Carolina Appellate Court Rules (SCACR) for the claims held to be barred under the statute of limitations or the explanation required under Rule 203(d)(1)(B), SCACR, for an appeal from a guilty plea. Petitioner has submitted a *pro se* response. See *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006).

Based on petitioner's failure to provide an adequate explanation under Rule 243(c) or under Rule 203(d)(1)(B), this matter is dismissed. The remittitur will be sent as provided by Rule 221, SCACR.

  
C.J.  
FOR THE COURT

Columbia, South Carolina  
December 2, 2013

cc: Megan E. Harrigan, Esquire  
Mark E. Schnee, Esquire  
Mr. Justin Harshaw, #296250