

**FILED**

**FEB 12 2025**

**JULIE J. ARMSTRONG  
CLERK, C.P. & G.S.**

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )  
)  
)  
Anthony Wilder, #328282 )  
Applicant, )  
)  
v. )  
)  
State of South Carolina, )  
Respondent. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
IN THE NINTH JUDICIAL CIRCUIT  
  
Case No. 2019-CP-10-00813  
  
**FINAL ORDER OF DISMISSAL**

This matter is before the Court by way of an application for Post-Conviction Relief (PCR) filed by Anthony Wilder (Applicant) on February 19, 2019. Respondent made its return and moved to summarily dismiss the action as procedurally barred pursuant to the Uniform PCR Act, located at section 17 27-10 to -160 of the South Carolina Code.

After review of the record and pleadings, this Court agreed this application should be summarily dismissed and provisionally dismissed the action by way of a Conditional Order of Dismissal filed July 10, 2020, giving Applicant twenty days from the date of service of said Order to show why the dismissal should not become final. Attached to this Final Order and incorporated herein by reference is an Affidavit of Service indicating Applicant was served the Conditional Order of Dismissal on August 3, 2020.

On August 17, 2020, Applicant filed a Response to the Conditional Order of Dismissal with the Clerk of Court.<sup>1</sup> This Court finds Applicant has failed to set forth any valid basis for an evidentiary hearing. Although Applicant alleges newly-discovered evidence, his allegations of newly-discovered evidence are insufficient to warrant a hearing on this issue. See Hayden v. State, 278 S.C. 610, 611, 299 S.E.2d 854, 855 (1983) (“A party requesting a new trial based on after-discovered evidence must show that the evidence: (1) Is such as would probably change the result if a new trial was had; (2) Has been discovered since the trial; (3) Could not by the exercise of due diligence have been discovered before the trial; (4) Is material to the issue of guilt or innocence; and, (5) Is not merely cumulative or impeaching.”).

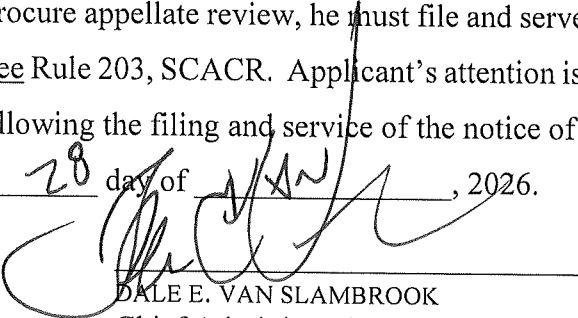
<sup>1</sup> Additionally, on May 12, 2025, Applicant filed a “motion for leave to file an amended response to conditional order of dismissal” and a motion to amend response. On June 2, 2025, Applicant filed a notice of amendment to PCR Application.

Applicant's contention that the statute of limitations does not apply to his current PCR action because he filed within one year from the remittitur of his PCR appeal lacks merit. Applicant failed to file his current PCR application within the one-year limitation set forth in the Uniform PCR Act. S.C. Code Ann. § 17-27-45(A) (an applicant has one year from the entry of judgment, or from the sending of the remittitur or the filing of a final decision on appeal, whichever is later, to file a PCR application). Finally, Applicant's contention that his application is not successive because PCR counsel failed to properly raise all issues also lacks merit. Applicant did not provide a "sufficient reason" why his current grounds for relief were not raised in his previous PCR application. See Aice v. State, 305 S.C. 448, 450, 409 S.E.2d 392, 393 (1991) (Any new ground raised in a subsequent application is limited to those grounds that "could not have been raised ... in the previous application.").

Applicant has not set forth sufficient allegations to warrant an evidentiary hearing; thus, this Court finds this application should be dismissed.

**IT IS THEREFORE ORDERED** that for the reasons set forth in the Court's Conditional Order of Dismissal, this application for PCR is hereby **DENIED AND DISMISSED WITH PREJUDICE**. Should Applicant wish to procure appellate review, he must file and serve a notice of appeal within thirty days of this Order. See Rule 203, SCACR. Applicant's attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

**AND IT IS SO ORDERED** this 28 day of March, 2026.

  
DALE E. VAN SLAMBROOK  
Chief Administrative Judge – Common Pleas  
Ninth Judicial Circuit

  
\_\_\_\_\_, South Carolina

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ALAN WILSON  
ATTORNEY GENERAL

February 10, 2026

The Honorable Julie J. Armstrong  
Charleston County Clerk of Court  
100 Broad Street, Suite 106  
Charleston, South Carolina 29401

**Re: Anthony Wilder, #328282 v. State of South Carolina**  
**Case No. 2019-CP-10-00813**

Dear Ms. Armstrong:

Enclosed please find the original Final Order of Dismissal, signed by the Honorable Dale E. Van Slambrook, in the above-captioned case for filing in your office. Please forward a time-stamped copy back to our office for our file.

Sincerely,

Kyle Kanealey  
Assistant Attorney General

KK/vh  
Enclosure

cc: Anthony Wilder, #328282