

The Supreme Court of South Carolina

The State, Respondent,

v.

Walter Atwood Worriax, Petitioner.

Appellate Case No. 2026-000901

ORDER

The court of appeals dismissed Petitioner's direct appeal from his murder conviction and sentence to life imprisonment on March 11, 2026, due to Petitioner's failure to order the transcript. After Petitioner's counsel failed to timely file a petition for rehearing or a motion to reinstate the appeal,¹ the Court of Appeals sent the remittitur on March 30, 2026. Petitioner has now filed a petition for a writ of certiorari, which is being construed as a request for relief under Rule 245 of the South Carolina Appellate Court Rules.

Based on the unique circumstances in this case,² the petition is granted, and the court of appeals is hereby directed to recall the remittitur and reinstate the appeal. As required by this Court's administrative order filed on December 12, 1997, Wilson is ordered to immediately provide the Division of Appellate Defense with the date or dates of Petitioner's trial, the county in which the trial was held, the name of the presiding judge, and the name of the court reporter. The Division of

¹ Petitioner filed a pro se petition for rehearing; however, the Court of Appeals declined to consider the petition because Petitioner was represented by counsel. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010). Counsel did not file a petition for rehearing after Petitioner's pro se petition was rejected.

² Ralph J. Wilson was appointed to represent Petitioner at trial, and Wilson served and filed Petitioner's notice of appeal. Apparently, there was a miscommunication between Wilson and the Division of Appellate Defense, and the transcript was not ordered before the appeal was dismissed and remitted.

Appellate Defense shall order the transcript from the court reporter within twenty days of the date the appeal is reinstated.



FOR THE COURT C.J.

Columbia, South Carolina
April 15, 2026

cc: Alan McCrory Wilson
Melody Jane Brown
Nancy R. Livesay
Ralph J. Wilson, Sr.
Wanda H. Carter
The Honorable Jenny A. Kitchings