

# The Supreme Court of South Carolina

Jaquese K. Hyatt, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2025-000388

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## ORDER

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Petitioner's application for post-conviction relief (PCR) was denied and dismissed by Judge McIntosh. Because Petitioner failed to serve and file a petition for a writ of certiorari and appendix, as required by Rule 243(d), SCACR, this Court dismissed the matter. Petitioner's counsel has now filed a petition for a writ of certiorari pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), from an order issued by Judge Fant denying Petitioner a belated review of Judge McIntosh's order pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). Counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner has not filed a pro se response.

We grant the petition for a writ of certiorari from Judge Fant's order, deny counsel's request to withdraw, dispense with further briefing, and proceed with an *Austin* review of Judge McIntosh's order.

After thorough review of the *Austin* issue—whether Judge McIntosh erred in finding that plea counsel's advice regarding the State's plea offers was not deficient and did not prejudice Petitioner—and the entire Appendix, we deny the request for a writ of certiorari from Judge McIntosh's order.

  
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FOR THE COURT C.J.

Columbia, South Carolina  
September 18, 2026

cc:

Tommy Evans, Jr.

Wanda H. Carter

David Alexander

Jaquese Hyatt, 00363113