

# The Supreme Court of South Carolina

The State, Petitioner,

v.

Phillip Miller, Respondent.

Appellate Case No. 2012-212847

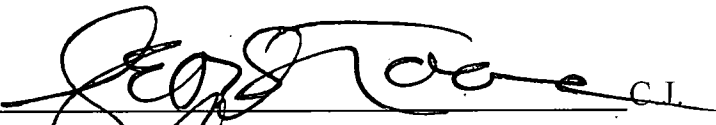
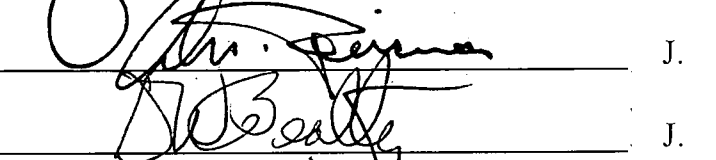
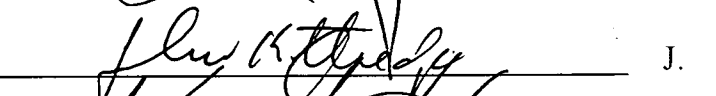

Lower Court Case No. 2006-GS-29-00208

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## ORDER

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By order dated June 11, 2014, we granted the State's petition for a writ of certiorari to review the Court of Appeals' decision in *State v. Miller*, 398 S.C. 47, 727 S.E.2d 32 (Ct. App. 2012). The Division of Appellate Defense has notified this Court that respondent is deceased, and on that basis, Appellate Defense moves for this matter to be dismissed as moot. The State opposes the motion, but in the alternative, requests that in the event the matter is dismissed, the Court of Appeals' opinion be vacated. We hereby grant the motion to dismiss and vacate the Court of Appeals' opinion.

  
\_\_\_\_\_ J.  
  
\_\_\_\_\_ J.  
  
\_\_\_\_\_ J.  
  
\_\_\_\_\_ J.

Columbia, South Carolina

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August 6, 2014

cc:

LaNelle Cantey DuRant, Esquire

William M. Blich, Jr., Esquire

Salley W. Elliott, Esquire

The Honorable Jeff L. Hammond

The Honorable Jenny Abbott Kitchings