

The Supreme Court of South Carolina

Maurice A. Kelley, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-192810

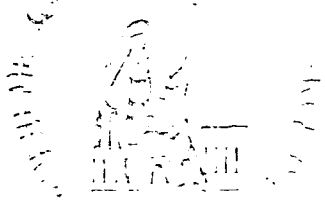
Lower Court Case No. 2009-CP-40-05753

ORDER

Petitioner's first application for post-conviction relief (PCR) was denied by Judge Manning. No petition for a writ of certiorari was filed. Petitioner now seeks a writ of certiorari from an order issued by Judge Lee finding petitioner is entitled to a belated review of Judge Manning's order pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991).

We grant the petition for a writ of certiorari from Judge Lee's order, dispense with further briefing, and proceed with an *Austin* review of Judge Manning's order.

Petitioner's counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner has not filed a *pro se* petition. After careful consideration of the entire record as required by *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), we deny the petition for a writ of certiorari from Judge Manning's order and grant counsel's request to withdraw.


Columbia, South Carolina


C.J.
FOR THE COURT

January 23, 2015

cc:
Wanda H. Carter, Esquire
Megan E. Harrigan, Esquire
Maurice A. Kelley, #288629