

# The Supreme Court of South Carolina

Darnell East Hudson, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2014-000407

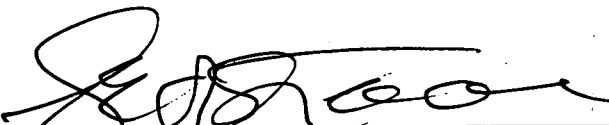
Lower Court Case No. 2013-CP-23-00993


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## ORDER

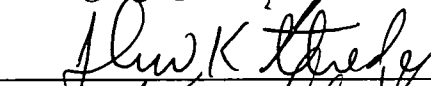
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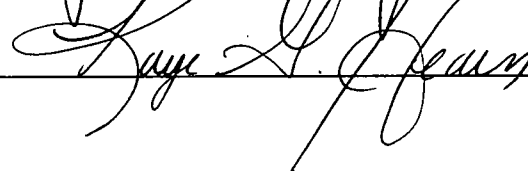
This matter is before the Court by way of a notice of appeal from an order dismissing petitioner's application for post-conviction relief as untimely. The matter was allowed to proceed pursuant to Rule 243(c), SCACR. The State seeks permission to file a response to the petition for a writ of certiorari out of time in the form of a motion to vacate the order of the circuit court and remand the case for the appointment of counsel and a hearing on the pleadings originally filed in the matter. Petitioner has not filed a return to the motion. Both motions are granted. We hereby vacate the orders of the circuit court in this matter and remand the case for the appointment of counsel and a hearing on the pleadings originally filed in the matter.

  
C.J.

  
J.

  
J.

  
J.

  
J.

Columbia, South Carolina

February 19, 2015

cc:

Karen Christine Ratigan, Esquire  
Robert M. Pachak, Esquire