

The Supreme Court of South Carolina

Marlon Rivera, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-002652

Lower Court Case No. 2011-CP-23-1209

ORDER

This matter is before the Court on a petition for a writ of certiorari following the denial of petitioner's application for post-conviction relief (PCR). We find the PCR judge erred in determining appellate counsel was not deficient. However, we have reviewed the final brief petitioner submitted to the Court of Appeals, which petitioner submitted with the petition for a writ of certiorari in this matter, and find the remaining direct appeal issues that were not ruled on are without merit. The PCR judge was therefore correct in finding petitioner was not prejudiced by appellate counsel's deficiency. Accordingly, the petition is denied.



FOR THE COURT

C.I.

May 06, 2015
Columbia, South Carolina

cc: J. Falkner Wilkes, Esquire
Karen Christine Ratigan, Esquire
Division of Appellate Defense