

The Supreme Court of South Carolina

Terrance Terry, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2014-000956

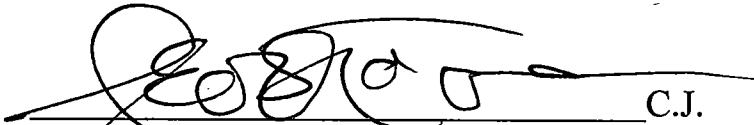
ORDER

Judge Nettles granted petitioner's first application for post-conviction relief (PCR) on one ground, but denied the application as to the remaining grounds. The State appealed, but petitioner did not file a cross-appeal. This Court reversed. *Terry v. State*, 383 S.C. 361, 680 S.E.2d 277 (2009). Petitioner filed a second PCR application alleging, among other things, he did not knowingly and intelligently waive his right to appeal the remaining issues in Judge Nettles' order, and asking for a belated review of his remaining PCR issues pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). Judge Welmaker denied petitioner's application, finding petitioner was not entitled to a belated review of the remaining issues from Judge Nettles' order.

Petitioner now seeks a writ of certiorari from an order issued by Judge Welmaker denying petitioner a belated review of the remaining issues in Judge Nettles' 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 Welmaker's order, dispense with further briefing, and proceed with an *Austin* review of Judge Nettles' order.

The petition for a writ of certiorari from Judge Nettles' order is denied.


C.J.
FOR THE COURT
Beatty, J., not participating

June 4, 2015
Columbia, South Carolina

cc:
Karen Christine Ratigan, Esquire
Lara Mary Caudy, Esquire