

The Supreme Court of South Carolina

Darnell East Hudson, Petitioner,

v.

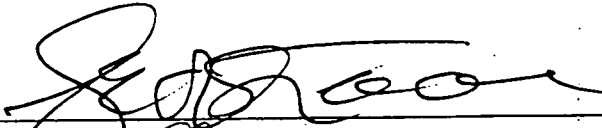
State of South Carolina, Respondent.


Appellate Case No. 2014-000407


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

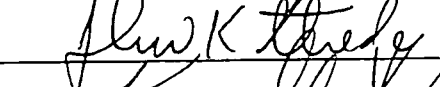
ORDER


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