

The Supreme Court of South Carolina

Brian Keith Stephens, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2014-000471


Lower Court Case No. 2013-CP-30-00721

ORDER

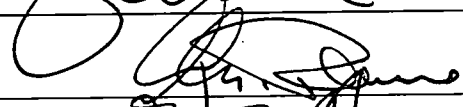
Petitioner's application for post-conviction relief was denied by the Honorable Frank Addy. No notice of appeal was filed. Petitioner now seeks a writ of certiorari from an order issued by the Honorable Donald Hocker denying petitioner a belated review of Judge Addy's order pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991).

We grant the petition for a writ of certiorari from Judge Hocker's order, dispense with further briefing, and reverse Judge Hocker's determination that petitioner is not entitled to a belated review of Judge Addy's order. We further order the parties to file an *Austin* petition from Judge Addy's order in accordance with *King v. State*, 308 S.C. 348, 417 S.E.2d 868 (1992).

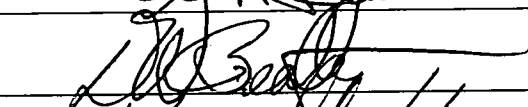




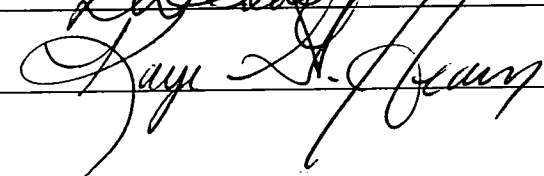
C.J.



J.



J.



J.

Columbia, South Carolina
July 23, 2015

Kittredge, J., not participating

cc:
James Rutledge Johnson, Esquire
Laura Ruth Baer, Esquire