

# The Supreme Court of South Carolina

Kevin D. Brown, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-001281

Lower Court Case No. 2013CP0702577

---

## ORDER

---

Petitioner's counsel has advised this Court that he cannot provide a good faith explanation under either Rule 243(c) or Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules (SCACR). Although counsel has advised petitioner that he may submit *pro se* explanations,<sup>1</sup> petitioner has not filed any *pro se* explanation.

Based on the failure of petitioner to provide an adequate explanation under either Rule 243(c) or Rule 203(d)(1)(B)(iv), this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

  
C.J.  
FOR THE COURT

Columbia, South Carolina  
November 30, 2015

cc: Tristan Michael Shaffer, Esquire  
James Rutledge Johnson, Esquire  
Mr. Kevin D. Brown, #156201

---

<sup>1</sup> Cf. *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006) ("[I]f counsel does not have a good faith explanation to provide pursuant to [Rule 243(c)], counsel shall provide the Court with a letter stating that as an officer of the Court, counsel is unable set forth any arguable basis for asserting the determination by the PCR judge that the PCR application was successive and barred by the statute of limitations was improper. Counsel shall further advise the petitioner by copy of the letter that the petitioner should notify the Court, no later than twenty (20) days from the date of the letter, of any arguable basis the petitioner may wish to assert that the determination that the PCR application was successive and barred by the limitations was improper.").