

The Supreme Court of South Carolina

Tyrone Wade, Petitioner,

v.

State of South Carolina, Respondent.

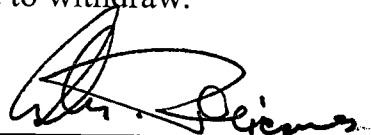
Appellate Case No. 2015-000260

ORDER

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

Petitioner's counsel has filed a petition pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988) from Judge Burch's order. Petitioner has filed a *pro se* petition.

We grant the petition for a writ of certiorari from Judge Brown's order, dispense with further briefing, and proceed with an *Austin* review of Judge Burch's order. After careful consideration of the record of petitioner's first post-conviction relief matter, as required by *Johnson v. State, supra*, we deny the petition from Judge Burch's order and grant counsel's request to withdraw.



C.J.

FOR THE COURT

Columbia, South Carolina

February 11, 2016

cc:

Daniel Francis Gourley, II, Esquire
Kathrine Haggard Hudgins, Esquire
Tyrone Wade, #284384