



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499  
[www.sccourts.org](http://www.sccourts.org)

August 17, 2016

Kathrine Haggard Hudgins, Esquire  
1330 Lady St., Ste.401  
Columbia SC 29201

Re: Maurice C. Kinard v. State  
Appellate Case No. 2015-001205

Dear Counsel:

As you know, one of the issues raised in this case is whether petitioner is entitled to a *White v. State* belated appeal from his guilty plea.

Regarding this *White v. State* claim, the PCR judge determined that petitioner was not entitled to a belated direct appeal. However, even if petitioner were ultimately to prevail on this issue, the most he would receive would be a belated appeal from his guilty pleas and in that appeal petitioner would have to “provide a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal.” Rule 203(d)(1)(B)(iv), SCACR (explanation required when an appeal is taken from a guilty plea, *Alford*

plea, or plea of nolo contendere). Therefore, I ask that you please provide the explanation required for a guilty plea appeal.<sup>1</sup>

Very truly yours,

A handwritten signature in black ink, appearing to be 'D. S. Z.', with a long horizontal stroke extending to the right.

CLERK

cc: Jessica Elizabeth Kinard, Esquire

---

<sup>1</sup> In the event you determine that you do not have a good faith explanation to provide, I would recommend that you follow a procedure similar to that in *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006). This will give the petitioner an opportunity to provide a *pro se* explanation for allowing an appeal from the guilty plea.