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S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

October 3, 2016

The Honorable Daniel E. Shearouse  
Clerk of Court  
South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

**Re: Stacardo Grissett v. State**  
Appellate Case No. 2015-002016

Dear Mr. Shearouse:

I am in receipt of the Petition for Writ of Certiorari in the above-captioned case. Please accept this letter in lieu of a formal return to the Austin v. State petition. Respondent does not object to any of the facts or arguments set forth in the petition. At the PCR evidentiary hearing, a letter from prior PCR counsel was presented to the Court and both attorneys stated that they had spoken with prior PCR counsel, who admitted he had not discussed appellate rights with Petitioner and did not file an appeal as requested. (App.pp.149-50). Therefore, Respondent does not dispute the late Honorable Tanya Gee's decision to grant a belated Austin v. State appeal from the denial of Petitioner's first PCR application by the late Honorable J. Ernest Kinard, Jr.

If a formal brief is required on that matter, Respondent requests an opportunity to brief the issues as requested by the Court. Similarly, enclosed is the original and required copies of the return to petition for writ of certiorari pursuant to Austin v. State that discusses the material issues in this appeal.

If there are any questions or comments, please feel free to contact me.

Sincerely,

Jessica E. Kinard  
Assistant Attorney General

cc: Wanda H. Carter, Esquire