



# The South Carolina Court of Appeals

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May 04, 2017

The Honorable Jeanette W. McBride  
PO Box 2766  
Columbia SC 29202-2766

## REMITTITUR

Re: Nakia Jones v. State of South Carolina  
Lower Court Case No. 2012CP4003697  
Appellate Case No. 2014-000602

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny Abbott Kitchings".

CLERK

Enclosure

cc: Nakia Jones, 231592  
James Clayton Mitchell, III, Esquire

The Supreme Court of South Carolina

Nakia Jones, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001311

Lower Court Case No. 2012-CP-40-03697

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MAY 03 2017

SC Court of Appeals

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ORDER

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Based on the vote of the Court, the petition for a writ of certiorari is denied.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

May 2, 2017.

cc:

James Clayton Mitchell, III, Esquire

Jessica Elizabeth Kinard, Esquire

Alan McCrory Wilson, Esquire

Nakia Jones, 231592

The Honorable Jeanette W. McBride

The Honorable Jenny Abbott Kitchings

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

Nakia Jones, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2014-000602

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Appeal From Richland County  
Robert E. Hood, Circuit Court Judge

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Unpublished Opinion No. 2016-UP-171  
Submitted March 1, 2016 – Filed April 6, 2016

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**AFFIRMED**

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Nakia Jones, pro se.

Assistant Attorney General James Clayton Mitchell, III,  
of Columbia, for Respondent.

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**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: S.C. Code Ann. § 17-27-20(B) (2014) ("[The Uniform Post-Conviction Procedure Act (the Act)] takes the place of all other common law, statutory or other remedies heretofore available for challenging the validity of the conviction or sentence."); *Simpson v. State*, 329 S.C. 43, 46, 495 S.E.2d 429, 431

(1998) ("[A] matter which is cognizable under the Act may not be raised by a petition for a writ of habeas corpus before the circuit or other lower courts."); *Gibson v. State*, 329 S.C. 37, 42, 495 S.E.2d 426, 428 (1998) ("[A] petitioner must allege sufficient facts to show why other remedies, such as [post-conviction relief], are unavailable or inadequate."); S.C. Code Ann. § 15-53-70 (2005) ("The court may refuse to render or enter a declaratory judgment or decree when such judgment or decree, if rendered or entered, would not terminate the uncertainty or controversy giving rise to the proceeding.").

**AFFIRMED.**<sup>1</sup>

**SHORT, KONDUROS, and GEATHERS, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.