



The Supreme Court of South Carolina

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November 03, 2017

The Honorable Doris Poulos O'Hara
180 N. Irby Street MSC-E
Florence SC 29501

REMITTITUR

Re: Richard W. Stokes v. State
Lower Court Case No. 2013CP2100613
Appellate Case No. 2017-001603

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,

Daniel E. Shearouse
DS

CLERK

cc:

Lindsey Ann McCallister, Esquire
Richard W. Stokes, 134422

The Supreme Court of South Carolina

Richard W. Stokes, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-001603

ORDER

Petitioner moves to be appointed counsel. The motion is denied. In the explanation required by Rule 243(c) of South Carolina Appellate Court Rules (SCACR), petitioner has failed to show that there is an arguable basis for asserting that the determination by the lower court was improper, nor would he be able to if appointed counsel. *See Davie v. State*, 381 S.C. 601, 675 S.E.2d 416 (2009); *Talley v. State*, 371 S.C. 535, 640 S.E.2d 878 (2007); *Judge v. State*, 321 S.C. 554, 471 S.E.2d 146 (1996), *overruled on other grounds by Jackson v. State*, 342 S.C. 95, 535 S.E.2d 926 (2000); S.C. Code Ann. § 17-27-45(B) (2014). Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.



FOR THE COURT C.J.

Columbia, South Carolina

October 18, 2017

cc:

Lindsey Ann McCallister, Esquire
Richard W. Stokes, 134422