

# The Supreme Court of South Carolina

Jonathan A. Davis, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-213160

Lower Court Case No. 2010-CP-40-08361

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## ORDER

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This post-conviction relief case involves a 2009 guilty plea. Except for the claim that petitioner is entitled to a *White v. State*<sup>1</sup> belated direct appeal, the PCR judge held that all other claims were barred by the statute of limitations. As to the belated direct appeal claim, the PCR judge held that petitioner is not entitled to a belated direct appeal.

Petitioner's counsel has advised this Court that he can neither provide the explanation required by Rule 243(c), SCACR, for the claims the PCR judge held were barred by the statute of limitations nor provide the explanation required by Rule 203(d)(1)(B), SCACR, for an appeal from a guilty plea. Although counsel had advised petitioner that he may submit a pro se explanation pursuant to Dennison v. State, 371 S.C. 221, 639 S.E.2d 35 (2006), petitioner has not filed a pro se explanation.

Based on the failure of petitioner to submit the required explanations, the notice of appeal in this matter is hereby dismissed. The remittitur will be sent as provided

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<sup>1</sup> 263 S.C. 110, 208 S.E.2d 35 (1974).

by Rule 221(b), SCACR.

  
C.J.  
FOR THE COURT

Columbia, South Carolina  
January 2, 2013

cc: Jerry Leo Finney, Esquire  
Robert Daniel Corney, Esquire  
Mr. Jonathan A. Davis, #336703