

The Supreme Court of South Carolina

Larry L. Phillips, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2018-000198

Lower Court Case No. 2014CP1800735

ORDER

Petitioner's counsel has advised this Court that he cannot provide a good faith explanation under Rule 243(c) of the South Carolina Appellate Court Rules (SCACR). Although counsel has advised petitioner that he may submit a *pro se* explanation,¹ no *pro se* explanation has been received by this Court.

Based on the failure of petitioner to provide an adequate explanation under Rule 243(c), SCACR, this matter is dismissed. The remittitur will be sent as provided

¹ *Cf. Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006) ("[I]f counsel does not have a good faith explanation to provide pursuant to [Rule 243(c)], counsel shall provide the Court with a letter stating that as an officer of the Court, counsel is unable set forth any arguable basis for asserting the determination by the PCR judge that the PCR application was successive and barred by the statute of limitations was improper. Counsel shall further advise the petitioner by copy of the letter that the petitioner should notify the Court, no later than twenty (20) days from the date of the letter, of any arguable basis the petitioner may wish to assert that the determination that the PCR application was successive and barred by the limitations was improper.").

by Rule 221(b), SCACR.



FOR THE COURT C.J.

Columbia, South Carolina
April 17, 2018

cc: Rodney Duane Davis, Esquire
Christian Aaron Saville, Esquire