



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499  
[www.sccourts.org](http://www.sccourts.org)

April 20, 2018

The Honorable David Hamilton  
PO Box 649  
York SC 29745-0649

## REMITTITUR

Re: Steven Spagnoli v. State  
Lower Court Case No. 2013CP4601662  
Appellate Case No. 2016-000961

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,

CLERK

cc:

Justin James Hunter, Esquire  
Lara Mary Caudy, Esquire  
Steven Spagnoli, 350895

**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 Supreme Court**

Steven Spagnoli, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-000961  
Lower Court Case No. 2013-CP-46-01662

---

Appeal From York County  
The Honorable John C. Hayes, III, Trial Judge  
The Honorable Daniel Dewitt Hall, Post-Conviction  
Relief Judge

---

Memorandum Opinion No. 2018-MO-014  
Submitted March 7, 2018 – Filed April 4, 2018

---

**DISMISSED**

---

Appellate Defender Lara Mary Caudy, of Columbia, for  
Petitioner.

Attorney General Alan McCrory Wilson and Assistant  
Attorney General Justin James Hunter, both of Columbia,  
for Respondent.

---

**PER CURIAM:** Petitioner seeks a writ of certiorari from the denial of his application for post-conviction relief (PCR).

Because there is sufficient evidence to support the PCR judge's finding that petitioner did not knowingly and intelligently waive his right to a direct appeal, we grant certiorari and proceed with a review of the direct appeal issue pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986).

We dismiss this matter pursuant to Rule 220(b)(1), SCACR, after review pursuant to *Anders v. California*, 386 U.S. 738 (1967). Counsel's motion to be relieved is granted.

**DISMISSED.**

**BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**