

The Supreme Court of South Carolina

Thomas Lee Geddie, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-002155

Lower Court Case No. 2016-CP-43-00049

ORDER

Petitioner's application for post-conviction relief was denied by The Honorable George C. James, Jr. The Notice of Appeal was dismissed for failure to timely request the transcript. Petitioner now seeks a writ of certiorari from an order issued by the Honorable Jocelyn Newman finding petitioner was entitled to a belated review of Judge James' order pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). Counsel for petitioner has filed a petition for a writ of certiorari pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), from Judge James' order, and petitioner has filed a *pro se* response.

Based on the vote of the Court: (1) the petition for a writ of certiorari from Judge Newman's order is granted, with no further briefing required; and (2) after an *Austin* review of Judge James' order and careful consideration of the record and petitioner's *pro se* response, as required by *Johnson, supra*, the petition for a writ of certiorari from Judge James' order is denied and counsel's request to withdraw is granted.

FOR THE COURT

BY 

CLERK

James, J., not participating

Columbia, South Carolina

May 22, 2018

cc:

Julie Amanda Coleman, Esquire

Laura Ruth Baer, Esquire

Thomas Lee Geddie, #351166