



The Supreme Court of South Carolina

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June 11, 2018

Nathan James Sheldon, Esquire
PO Box 36682
Rock Hill SC 29732

Re: Darryl O. Dye v. State
Appellate Case No. 2018-001003
Lower Court Case No. 2016CP1200220

Dear Counsel:

I thank you for your letter of June 8, 2018.

The order on appeal is internally inconsistent. At one point, it states the post-conviction relief court had before it "the transcript from Applicant's guilty plea" while at another it states "Applicant was found guilty by a jury of the charged offense."

Since the public case index for Chester County indicates that the underlying criminal conviction (2015GS1200014) resulted from a trial, this matter will be allowed to proceed. No further explanation is required from either you or your client.

If you and the Attorney General desire to correct this inconsistency in the order, then I remind you of the fact that leave will have to be sought from this Court to do so. Rule 60(b), SCRCP ("During the pendency of an appeal, leave to correct the mistake must be obtained from the appellate court."). This leave may be sought by

either motion or letter.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

cc: DeShawn Herman Mitchell, Esquire
Division of Appellate Defense