

# The South Carolina Court of Appeals

William Patrick Deaton, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001883

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## ORDER

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Petitioner has filed a petition for a writ of certiorari from an order of the post-conviction relief (PCR) court finding he was not entitled to a belated review of his first PCR application pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). Based on the vote of the panel, the court grants the petition for a writ of certiorari, dispenses with further briefing, and directs Petitioner to serve and file his *Austin* petition addressing the appealable issues from his first PCR hearing pursuant to *King v. State*, 308 S.C. 348, 349, 417 S.E.2d 868, 869 (1992) (outlining the procedure when the PCR court denies *Austin* review).

FOR THE COURT

BY Jay A. Kitzp  
CLERK

Columbia, South Carolina

cc: Laura Ruth Baer, Esquire  
Melody Jane Brown, Esquire  
Samuel R. Hubbard, III, Esquire  
William Patrick Deaton, #340130  
The Honorable J. Mark Hayes, II

**FILED**

June 22, 2018  
JA