



RECEIVED

JUL 12 2018

S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

July 12, 2018

The Honorable Daniel E. Shearouse  
Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

**Re: Moses Frasier, SCDC No. 317940 v. State of South Carolina  
Appellate Case No. 2018-000739**

Dear Mr. Shearouse:

In lieu of a formal return, please accept this letter in reply to Petitioner Moses Frasier's "Motion to Remand to Reconstruct the Record of Petitioner's Post-Conviction Relief Hearing," served on July 6, 2018. In light of the ruling by the Honorable Maite Murphy finding Applicant did not knowingly and voluntarily waive his right to appeal his initial post-conviction relief action and that any delay in filing of his second action to pursue a belated appellate review pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991) did not preclude the grant of relief, Respondent takes no position on Petitioner's motion to remand.

If the Court would prefer a formal return, please let me know and I will file one accordingly.

Sincerely,

Megan Hargan Jameson  
Senior Assistant Deputy Attorney General  
SC Bar No. 100108

cc: Appellate Defender Lara M. Caudy, Counsel for Petitioner