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S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

August 21, 2018

The Honorable Daniel E. Shearouse
Clerk of Court to the Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

Re: Rondell Leon Carter v. State of South Carolina
Appellate Case No. 2017-002134

Dear Mr. Shearouse:

The State is in receipt of the Petition for Writ of Certiorari filed July 18, 2018, seeking belated review pursuant to Austin v. State, 305 S.C. 453, 246 S.E.2d 395 (1991). Please accept this letter in lieu of a formal return, it appearing Petitioner has also filed a petition pursuant to Johnson v. State, 294 S.C. 310, 364 S.E.2d 201 (1988).

The State does not oppose Petitioner's request for consideration under Austin, as the undersigned conceded during the May 23, 2017, hearing that Petitioner did not knowingly, intelligently, and voluntarily waive his right to appeal the denial of his prior application for relief.

If you should have any questions, please do not hesitate to contact me.

Respectfully,

Johnny Ellis James Jr.
Assistant Attorney General

cc: Taylor D. Gilliam, Esq.