



RECEIVED

SEP 04 2018

S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

September 4, 2018

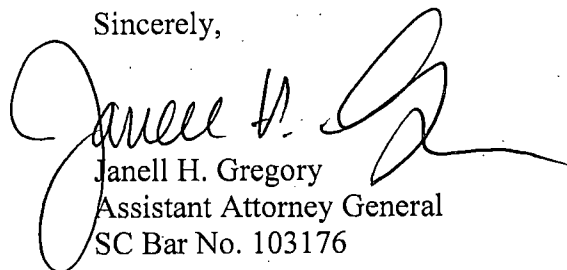
The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

**Re: Johnell Porter v. State of South Carolina**  
**Appellate Case No. 2017-001605**  
**Lower Court Case No. 2015-CP-46-1186**

Dear Mr. Shearouse:

I am in receipt of the Petition for Writ of Certiorari and the Johnson Petition for Writ of Certiorari pursuant to Austin v. State in the above captioned case. The only issue raised in the Petition is whether the PCR Court properly granted Petitioner relief pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991), where Petitioner's PCR counsel failed to serve a Notice of Appeal and where the State consented to belated review. The State is not challenging this grant of Austin on appeal. Additionally, as the Petition for Writ of Certiorari pursuant to Austin v. State has been filed pursuant to Johnson v. State, 294 S.C. 310, 364 S.E.2d 201 (1988), the State does not intend to file a responsive pleading unless directed to do so by the Court. Please accept this letter in lieu of a formal Return in this case.

Sincerely,



Janell H. Gregory  
Assistant Attorney General  
SC Bar No. 103176

JHG/cc

cc: Taylor D. Gilliam, Esquire