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September 24, 2018

S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

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

Re: **Jermaine Mayweathers v. State of South Carolina**
Appellate Case No. 2018-002102

Dear Mr. Shearouse:

On June 20, 2018, Petitioner filed with the Court a Petition for Writ of Certiorari. This Petition contains only a request for belated review of a denial of post-conviction relief pursuant to Austin v. State, 305 S.C. 453, 246 S.E.2d 395 (1991). On the same day, Petitioner also filed a Petition for Writ of Certiorari Pursuant to Austin v. State, raising various issues regarding the denial of relief in Petitioner's original PCR action.

Respondent consents to the Court granting a belated appellate review pursuant to Austin, and therefore, Respondent does not intend to file a separate response the document entitled Petition for Writ of Certiorari. If the Court would prefer a formal response in the form of a Return to the Petition for Writ of Certiorari, Respondent would do so expeditiously.

However, Respondent does wish to respond to the substantive issues raised in the Petition for Writ of Certiorari Pursuant to Austin v. State. Accordingly, Respondent is filing a Return to Petition for Writ of Certiorari Pursuant to Austin v. State simultaneously.

Respectfully,

Lindsey A. McCallister
Assistant Attorney General
SC Bar No. 79054

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Cc: Dayne Phillips, Esquire