

The South Carolina Court of Appeals

Kinjta Kadeem Sadler, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001716

ORDER

This matter is before the Court on a petition for a writ of certiorari following the denial of Petitioner's application for post-conviction relief.

Petitioner's counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner has filed a pro se petition.

Based on the vote of the panel after careful consideration of the entire appendix as required by *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), the petition for a writ of certiorari is denied and counsel's request to withdraw is granted.¹

FOR THE COURT

BY


CLERK

¹ This court acknowledges it reversed the conviction of Petitioner's co-defendant based on a *Batson* issue. See *State v. Young*, 2017-UP-426 (S.C. Ct. App. filed Nov. 15, 2017). However, the question of whether appellate counsel was ineffective for not briefing the *Batson* issue was not presented to the PCR court and thus is not preserved for review. See *Marlar v. State*, 375 S.C. 407, 408, 653 S.E.2d 266, 266 (2007) ("The [PCR court's] failure to specifically rule on the issues precludes appellate review of the issues.").

Columbia, South Carolina

cc:

DeShawn Herman Mitchell, Esquire

Susan Barber Hackett, Esquire

Kinjta Kadeem Sadler, 353966

The Honorable R. Knox McMahon

FILED

Nov. 1, 2018