



The Supreme Court of South Carolina

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November 27, 2018

The Honorable Alma Y. White
PO Box 479
Georgetown SC 29442-0479

REMITTITUR

Re: John J. Greene v. State
Lower Court Case No. 2012CP2200164, 2015CP2200949
Appellate Case No. 2017-000828

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc:

Tommy Arthur Thomas, Esquire
Johnny Ellis James, Jr., Esquire
John Jabar Green, 219696

The Supreme Court of South Carolina

John Jabbar Greene, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-000828

Lower Court Case Nos. 2012-CP-22-00164 & 2015-CP-22-00949

ORDER

Petitioner's first application for post-conviction relief (PCR) was denied by Judge John C. Hayes. No notice of appeal was filed. Petitioner now seeks a writ of certiorari from an order issued by Judge Benjamin H. Culbertson granting petitioner a belated review of Judge Hayes' order pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991).

We grant the petition for a writ of certiorari from Judge Culbertson's order, dispense with further briefing, and proceed with an *Austin* review of Judge Hayes' order.

Based on the vote of the Court, the petition for a writ of certiorari from Judge Hayes' order is denied.



FOR THE COURT

C.J.

James, J., not participating

Columbia, South Carolina

November 09, 2018

cc:

Tommy Arthur Thomas, Esquire

Johnny Ellis James, Jr., Esquire

John Jabbar Green, 219696