



The Supreme Court of South Carolina

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POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

February 04, 2019

The Honorable Anita M. "Joy" Williams
PO Drawer 996
Bennettsville SC 29512-0996

REMITTITUR

Re: Allen J. Gathings v. State
Lower Court Case No. 2012CP3400217
Appellate Case No. 2015-000358

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:

Susan Barber Hackett, Esquire
Johnny Ellis James, Jr., Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

Allen J. Gathings, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-000358

Appeal from Marlboro County
Thomas A. Russo, Circuit Court Judge

Memorandum Opinion No. 2019-MO-004
Submitted September 17, 2018 – Filed January 16, 2019

DISMISSED AS IMPROVIDENTLY GRANTED

Appellate Defender Susan B. Hackett, of Columbia, for
Petitioner.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Johnny Ellis James Jr., both of
Columbia, for Respondent.

PER CURIAM: We granted a writ of certiorari to review the Post-Conviction Relief ("PCR") court's dismissal of Petitioner Allen J. Gathings' application for PCR. We now dismiss the writ as improvidently granted.

DISMISSED AS IMPROVIDENTLY GRANTED.

BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.