

**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**

Christopher Lovett Burke, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2009-133967

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Appeal from Spartanburg County  
Honorable John C. Few, Trial Judge  
Honorable J. Mark Hayes, II, Post-Conviction Judge

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Memorandum Opinion No. 2013-MO-001  
Heard October 6, 2011 – Filed January 30, 2013

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**DISMISSED AS IMPROVIDENTLY GRANTED**

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Appellate Defender Robert M. Pachak, of Columbia, for  
Petitioner.

Attorney General Alan Wilson, Chief Deputy Attorney  
General John W. McIntosh, Assistant Deputy Attorney  
General Salley W. Elliott, and Assistant Attorney  
General Suzanne H. White, all of Columbia, for  
Respondent.

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**PER CURIAM:** After careful consideration of the appendix and briefs, the writ of certiorari is

**DISMISSED AS IMPROVIDENTLY GRANTED.**

**TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ.,  
concur.**