



ALAN WILSON
ATTORNEY GENERAL

March 27, 2019

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MAR 28 2019
SC Court of Appeals

The Honorable Robert J. Harte,
Aiken County Clerk of Court
PO Box 583
Aiken, SC 29802

Re: William McCladdie v. State of South Carolina
Lower Court Case No.: 2015-CP-02-2458
Appellate Case No.: 2016-001979

Dear Mr. Harte,

On March 21, 2019, the South Carolina Court of Appeals remanded the above-referenced post-conviction relief case back to the circuit court to conduct a hearing to determine whether Mr. McCladdie knowingly, intelligently, and voluntarily waived his post-conviction relief claims other than his claim that he was entitled to belated appellate review, and if necessary, to resolve these other claims. Mr. McCladdie's appeal is held in abeyance until the circuit court makes the necessary findings as instructed by the Court of Appeals. A copy of this order is enclosed.

Accordingly, please re-open Mr. McCladdie's post-conviction relief case file (2015-CP-02-2458) in accordance with the Court of Appeals' order. Please note that Aimee Zmroczek, Esquire, represented Mr. McCladdie before the circuit court and Susan B. Hackett, Esquire, represented Mr. McCladdie on appeal. Both are copied on this letter.

Undersigned counsel has copied the Honorable Clifton Newman, Chief Administrative Judge for the Second Circuit, so he is aware of the Court of Appeals' order. Counsel intends to place this matter on the upcoming post-conviction relief roster (scheduled for the week of May 6th-10th) unless directed to take a different course of action by the Court. Please let me know if you have any questions or concerns.

Sincerely,

Megan Harrigan Jameson
Senior Assistant Deputy Attorney General

Enclosure

cc: The Honorable Clifton Newman, Chief Administrative Judge
The Honorable Jenny Kitchings, Court of Appeals Clerk of Court
Susan B. Hackett, Esquire
Aimee Zmroczek, Esquire
Victim Advocacy Division

The South Carolina Court of Appeals

William H. McCladdie, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001979

ORDER

After careful consideration, Respondent's motion, filed with the consent of Petitioner, requesting this court to remand to the post-conviction relief court is granted. This case is hereby remanded to the Aiken County circuit court for the purpose of allowing the circuit court to conduct any hearings it deems necessary to (1) determine whether Petitioner knowingly, intelligently, and voluntarily waived his post-conviction relief claims other than his request for belated appellate review and (2) resolve any post-conviction relief claims the court determines were not knowingly, intelligently, and voluntarily waived. Counsel for Respondent shall contact the circuit court and counsel for Petitioner within ten days of the date of this order to schedule any hearings the circuit court deems necessary. This appeal will be held in abeyance pending the circuit court's review of the matter on remand.



FOR THE COURT

Columbia, South Carolina

cc:

Susan Barber Hackett, Esquire

Megan Harrigan Jameson, Esquire

FILED

March 21, 2019
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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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