



The Supreme Court of South Carolina

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May 24, 2019

The Honorable Scott B. Suggs
1 Public Sq Rm B4
Darlington SC 29532-3213

REMITTITUR

Re: Eugene A. Gardner, III v. State
Lower Court Case No. 2014CP1600672
Appellate Case No. 2017-000881

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:

Johnny Ellis James, Jr., Esquire
David Alexander, Esquire
Eugene A. Gardner, III, 357996

**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**

Eugene A. Gardner III, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-000881

ON WRIT OF CERTIORARI

Appeal from Darlington County
G. Thomas Cooper Jr., Circuit Court Judge

Memorandum Opinion No. 2019-MO-024
Submitted January 15, 2019 – Filed May 8, 2019

**CERTIORARI DISMISSED AS IMPROVIDENTLY
GRANTED**

Attorney General Alan M. Wilson, Senior Assistant
Deputy Attorney General Megan Harrigan Jameson, and
Assistant Attorney General Johnny Ellis James Jr., all of
Columbia, for Petitioner.

Appellate Defender David Alexander, of Columbia, for
Respondent.

PER CURIAM: We granted the State's petition for a writ of certiorari to review the post-conviction relief court's order granting relief. We now dismiss the writ as improvidently granted.

DISMISSED AS IMPROVIDENTLY GRANTED.

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