



ALAN WILSON
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June 28, 2011

Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

**RE: Christopher Francis v. State of South Carolina
2008-CP-29-0973**

Dear Mr. Shearouse:

I am in receipt of both a Petition for Writ of Certiorari and a Johnson Petition for Writ of Certiorari Pursuant to Austin v. State in the above-captioned case. Please accept this letter in lieu of formal Returns to these filings.

As to the Petition for Writ of Certiorari, the Respondent concedes that the Petitioner did not knowingly and voluntarily waive his right to appeal the denial of his first PCR application, which is the only issue raised in the Petition for Writ of Certiorari.

As to the Johnson Petition for Writ of Certiorari Pursuant to Austin v. State, the Respondent agrees that there are no meritorious issues in the belated PCR appeal. The Respondent also has no opposition to the request by Wanda Carter to be relieved as counsel.

If there are any questions or comments, please do not hesitate to contact me at any time.

With highest regards,

Suzanne H. White
Assistant Attorney General

SHW/aam

cc: Wanda H. Carter, Esquire