

**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 Court of Appeals**

Mykel Johnson, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001684

Appeal From Beaufort County
Brooks P. Goldsmith, Circuit Court Judge

Unpublished Opinion No. 2020-UP-033
Heard December 10, 2019 – Filed February 5, 2020

REVERSED AND REMANDED

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

Attorney General Alan McCrory Wilson and Assistant
Attorney General Benjamin Hunter Limbaugh, both of
Columbia, for Respondent.

PER CURIAM: Mykel Johnson filed this post-conviction relief action (PCR) arguing the PCR court erred in denying his petition on procedural grounds. We reverse and remand pursuant to Rule 220(b), SCACR, and the following authorities: *Sloan v. Friends of Hunley, Inc.*, 393 S.C. 152, 159 n.3, 711 S.E.2d

895, 898 n.3 (2011) (indicating a concession allows the court to end the matter); *Bowaters Carolina Corp. v. Carolina Pipeline Co.*, 259 S.C. 500, 505, 193 S.E.2d 129, 132 (1972) (holding an appellate court need not pursue an issue conceded during oral arguments); *Love v. State*, 428 S.C. 231, 243-45, 834 S.E.2d 196, 202-03 (2019) (indicating "[t]he PCR court, not this [c]ourt, should make the initial factual and legal findings on [a PCR applicant's] claim for relief" even though the dissent viewed the resolution of the claim as "straightforward").

REVERSED AND REMANDED.

LOCKEMY, C.J., and KONDUROS and HILL, JJ., concur.