

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE) THIRTEENTH JUDICIAL CIRCUIT

The State of South Carolina

MAR 30 2017

Circuit Court Case No. 2002GS2301063
Appellate Case No. 2017-001863

v.

SC Court of Appeals

ORDER DENYING MOTION TO VACATE
SENTENCE

Robert Max Watkins

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G 865988


This Matter comes before the Court on remittitur from the South Carolina Court of Appeals pursuant to Rule 221(b) of the South Carolina Appellate Court Rules for clarification regarding this Court's May 23, 2017 ruling. On October 25, 2002, the defendant was convicted of armed robbery and possession of a weapon during the commission of a violent crime. The defendant filed for post-conviction relief and on January 14, 2008, the Supreme Court vacated the defendant's convictions finding his trial counsel was ineffective. The defendant was retried and convicted of the same charges on September 28, 2008. Thereafter, the defendant filed a motion to vacate his sentence and requested a hearing on the matter. In response to the defendant's motion, the State formally asked the Court to deny the motion and rule on the pleadings. In a separate letter, the State reiterated its position and requested direction as to whether the defendant's motion should be set for a hearing. After careful consideration of the pleadings, this Court issued a denial on May 23, 2017. Upon appeal, the defendant contended that the May 23, 2017 ruling applied solely to the State's request to decide the motion without a hearing. This Order clarifies that this Court denied the defendant's motion to vacate sentence on May 23, 2017.

FILED
CLERK OF COURSE
PAUL B. TAYLOR
JUDGE
GREENVILLE, SC
2017 NOV 15 PM 4:01

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IT IS SO ORDERED.

November 16, 2017



LETITIA H. VERDIN
CIRCUIT COURT JUDGE

