

The Supreme Court of South Carolina

Kenneth L. Young, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-208012

ORDER

Petitioner's counsel submitted a *Johnson* petition in this matter. Thereafter, this Court issued an order dated February 6, 2013, denying the petition which indicated that petitioner did not file a *pro se* response to the petition submitted by counsel. The remittitur was sent on February 22, 2013.

Petitioner has now advised this Court that he was never advised by this Court that he could file a *pro se* response and the records of this Court fail to show that a letter was sent to him advising petitioner of his ability to file a *pro se* response. Accordingly, the remittitur is hereby recalled. *Wise v. South Carolina Department of Corrections*, 372 S.C. 173, 642 S.E.2d 551 (2007).

Within forty-five days of the date of this order, petitioner may file with this Court a *pro se* response to the petition for a writ of certiorari submitted by his counsel. In the response, he may raise and argue any issues he believes the Court should consider in this matter.

If a *pro se* response is submitted, this matter will be submitted to this Court for its consideration. If no *pro se* response is filed, the prior order of February 6, 2013,

will stand as the final order in this matter, and the remittitur will again be sent.



FOR THE COURT

J.

Columbia, South Carolina

March 18, 2013

cc: James Rutledge Johnson, Esquire
Wanda H. Carter, Esquire
Mr. Kenneth L. Young, #323182