

The South Carolina Court of Appeals

Morris Tyler, #138551, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-212263

ORDER

Appellant's motion to reinstate this appeal is granted. However, since the circuit court determined habeas corpus relief was improper in the circuit court because the issues could have been raised in a timely application under the Post-Conviction Relief Act (*see Simpson v. State*, 329 S.C. 43, 495 S.E.2d 429 (1998)), Appellant must file a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the circuit court was improper. Rule 203(d)(1)(B)(vi), SCACR. Appellant shall file the explanation within ten days.


FOR THE COURT

Columbia, South Carolina

FILED

3-15-13 AS

cc:

Morris Tyler, 138551

Mary Shannon Williams