

The Supreme Court of South Carolina

Joseph Dominick Urato, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2020-001363

ORDER

Counsel for petitioner filed a notice of appeal in this post-conviction relief (PCR) matter on October 13, 2020. Because the PCR judge determined the action was barred as being successive and/or as being untimely under the statute of limitations, the Deputy Clerk of this Court wrote to counsel on October 15, 2020, to request counsel provide the required written explanation as to why this determination was improper, or otherwise inform the Court that he was unable to provide any arguable basis to do so under *Dennison*,¹ within ten (10) days. See Rule 243(c) of the South Carolina Appellate Court Rules (SCACR).

When counsel failed to respond to the Deputy Clerk's letter, the Clerk of this Court wrote to counsel on November 19, 2020, to request the required response within ten (10) days. Counsel has failed to respond to this second request.

Based upon counsel's failure to file the written response required by Rule 243(c), SCACR, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.



C.J.

FOR THE COURT

Columbia, South Carolina
December 7, 2020

¹ *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006).

cc:

James Kristian Falk, Esquire

Taylor Zane Smith, Esquire