

The South Carolina Court of Appeals

Miguel Alejandro Urena, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-002311

ORDER

This matter is before the Court on a petition for a writ of certiorari. Based on the vote of the panel, the petition for a writ of certiorari is granted as to the post-conviction relief judge's finding that Petitioner was not entitled to a belated direct appeal. We dispense with further briefing on the petition for certiorari, and this court will proceed with its review of Petitioner's direct appeal pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986). Petitioner shall file his initial appellant's brief within thirty days of this order. *See Davis*, 288 S.C. at 291, 342 S.E.2d at 60 ("In [PCR] cases in which the [PCR court] finds that the applicant is *not* entitled to a *White v. State* review, . . . the applicant shall not file a brief addressing the direct appeal issues unless certiorari is granted on the *White v. State* issue.").

FOR THE COURT

BY


CLERK

Columbia, South Carolina

cc:

Tricia A. Blanchette, Esquire
Samantha Jo Weidauer, Esquire

FILED
Feb 23 2021

Miguel Alejandro Urena, 354385
The Honorable Robert E. Hood