

The Supreme Court of South Carolina

Dwayne Starks, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-001731

ORDER

Following the denial of Petitioner's application for post-conviction relief (PCR), counsel for Petitioner filed a petition for a writ of certiorari pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988). By order dated May 17, 2019, this Court denied the petition and granted counsel's request to withdraw. The remittitur was sent on June 4, 2019.

Petitioner subsequently filed a motion to recall the remittitur, advising the Court that it inadvertently neglected to notify Petitioner of his right to file a *pro se* response to the *Johnson* petition filed by counsel. The Court granted the motion, recalling the remittitur and granting Petitioner forty-five days to serve and file his *pro se* response. Petitioner has now filed his response to the *Johnson* petition.

After careful review of the record and petitioner's *pro se* response, as required by *Johnson*, we affirm our decision denying Petitioner's petition for a writ of certiorari and granting counsel's request to withdraw.



FOR THE COURT C.J.

Columbia, South Carolina
April 19, 2021

cc: Kathrine Haggard Hudgins, Esquire
Megan Harrigan Jameson, Esquire
Mr. Dwayne Eddie Starks, 253926