

The Supreme Court of South Carolina

Donnie Hagins, #315916, Petitioner,

v.

State of South Carolina, Respondent.

The Honorable Lee S. Alford.
York County
Trial Court Case No. 2008-CP-46-00373

ORDER

Petitioner asks this Court to grant him a belated appeal in the above post-conviction relief case pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991). Since relief under Austin must be sought by filing an application for post-conviction relief in the circuit court,¹ this matter is dismissed without prejudice to whatever right he may have to seek relief under Austin by filing an application for post-conviction relief in the circuit court.

IT IS SO ORDERED.


C. J.
FOR THE COURT

Columbia, South Carolina
June 11, 2012

¹ See King v. State, 308 S.C. 348, 417 S.E.2d 868 (1992) (discussing appellate procedure to be followed depending on findings of PCR judge on the Austin claim).