

The South Carolina Court of Appeals

George N. Moses, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2020-000093

ORDER

This matter is before the Court on a petition for a writ of certiorari following the denial of Petitioner's application for forensic DNA testing under the Access to Justice Post-Conviction DNA Testing Act.¹ We grant the petition for a writ of certiorari pursuant to Rule 247, SCACR, and direct the parties to address the following question:

Did the circuit court err in finding Petitioner failed to meet the requirements of section 17-28-40(C) of the South Carolina Code (2014), which enumerates the required contents of the DNA testing application, rather than the requirements of section 17-28-90(B) of the South Carolina Code (2014), which specifies the factors to be proved at the hearing on the DNA testing application?

Petitioner shall serve and file a brief on this question within thirty days of the date of this order. Thereafter, Respondent shall have thirty days to serve and file its brief.

V. Claire Allen

FOR THE COURT

Columbia, South Carolina
June 16, 2021

¹ S.C. Code Ann. § 17-28-10 to -120 (2014).

cc:

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Mark Reynolds Farthing, Esquire

Alan McCrory Wilson, Esquire