

The South Carolina Court of Appeals

Henry Nesbit, Jr., Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2019-000381

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 whether trial counsel was ineffective for failing to request a jury instruction for simple possession of cocaine. The parties shall proceed to serve and file the appendix and briefs as provided by Rule 243(j), SCACR.

FOR THE COURT

BY *V. Claire Allen*
CLERK

Columbia, South Carolina

cc:

Jerry Nicholas Theos, Esquire
Samantha Jo Weidauer, Esquire
Henry Nesbit, Jr., 292341
The Honorable G. Thomas Cooper, Jr.

FILED
Sep 27 2021