

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
John Bates, Jr., #356426,)
)
Applicant,)
)
v.)
)
State of South Carolina,)
)
Respondent.)
_____)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

2021-CP-40-4621

FINAL ORDER OF DISMISSAL

RICHLAND COUNTY
FILED
2022 JAN -6 PM 3:58

This matter comes before the Court pursuant to an application for post-conviction relief filed by Applicant John Bates, Jr. on September 14, 2021. Respondent made its Return and Motion to Dismiss on November 24, 2021, requesting the application be summarily dismissed because it was untimely and failed to state a cognizable claim for relief.

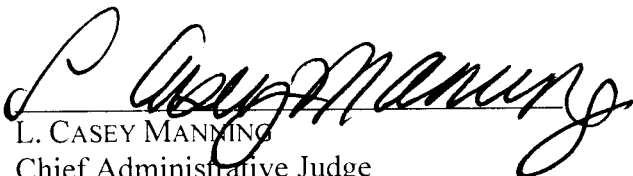
Pursuant to this request, and after reviewing the pleadings in this matter and all of the records attached thereto, this Court issued a Conditional Order of Dismissal filed December 3, 2021, provisionally denying and dismissing this action, while giving Applicant twenty days from the date of service of said Order in which to show why the dismissal should not become final. Attached to this Final Order and incorporated herein by reference is an Affidavit of Service dated December 2, 2021, serving the above-mentioned Conditional Order of Dismissal on the Applicant.

Applicant has failed to respond to either the Respondent’s Motion to Dismiss or this Court’s Conditional Order of Dismissal. Therefore, this Court finds a sufficient reason has not been shown why the Conditional Order of Dismissal should not become final.

IT IS THEREFORE ORDERED that, for the reasons set forth in this Court’s Conditional Order of Dismissal, the application for post-conviction relief is hereby denied and dismissed with prejudice.

This Court hereby advises Applicant he must file and serve a Notice of Appeal within thirty days of the service of this Order to secure appellate review. *See* Rule 203, SCACR. Applicant's attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

AND IT IS SO ORDERED this 4 day of January, 2022


L. CASEY MANNING
Chief Administrative Judge
Fifth Judicial Circuit

Columbia, South Carolina