

Oct 21 2021 1

Statistical study of DIGs in SC's appellate courts

Dismissed as Improvidently Granted ("DIG") Search of SC's Judicial Department's ("SCJD") Website returned 424 records OF WHICH 73 are NOT DIG result cases (SC Court of Appeals "SC CoA" = 31) (SC Supreme Court "SC S Ct" = 42):

**SC CoA** </opinions/displayOpinion.cfm?caseNo=2958>

</opinions/displayOpinion.cfm?caseNo=3124>

</opinions/displayOpinion.cfm?caseNo=3630>

</opinions/displayOpinion.cfm?caseNo=3806>

</opinions/displayOpinion.cfm?caseNo=3998>

</opinions/displayOpinion.cfm?caseNo=4212>

</opinions/displayOpinion.cfm?caseNo=4355>

</opinions/displayOpinion.cfm?caseNo=4492>

</opinions/HTMLfiles/COA/5177.pdf>

</opinions/displayUnPubOpinion.cfm?caseNo=2006-UP-263>

</opinions/unpublishedopinions/HTMLfiles/COA/2013-UP-294.pdf>

</opinions/unpublishedopinions/HTMLfiles/COA/2017-UP-219.pdf>

</opinions/displayOpinion.cfm?caseNo=3029>

</opinions/displayOpinion.cfm?caseNo=3194>

</opinions/displayOpinion.cfm?caseNo=3653>

</opinions/displayOpinion.cfm?caseNo=3830>

</opinions/displayOpinion.cfm?caseNo=4008> = Judge Goode's finding of a double jeopardy bar reversed

</opinions/displayOpinion.cfm?caseNo=4297>

</opinions/displayOpinion.cfm?caseNo=4388>

</opinions/displayOpinion.cfm?caseNo=4792>

</opinions/HTMLfiles/COA/5461.pdf>

</opinions/displayUnPubOpinion.cfm?caseNo=2008-UP-312>

</opinions/unpublishedopinions/HTMLfiles/COA/2016-UP-034.pdf>

</opinions/displayOpinion.cfm?caseNo=3085>

</opinions/displayOpinion.cfm?caseNo=3269>

</opinions/displayOpinion.cfm?caseNo=3715>

</opinions/displayOpinion.cfm?caseNo=3904>

</opinions/displayOpinion.cfm?caseNo=4339>

</opinions/displayOpinion.cfm?caseNo=4470>

</opinions/HTMLfiles/COA/5114.pdf>

</opinions/displayUnPubOpinion.cfm?caseNo=2004-UP-437>

**SC S Ct** </opinions/displayOpinion.cfm?caseNo=24905>

</opinions/displayOpinion.cfm?caseNo=24982>

</opinions/displayOpinion.cfm?caseNo=25946>

</opinions/displayOpinion.cfm?caseNo=26215>

</opinions/displayOpinion.cfm?caseNo=26763>

</opinions/displayOpinion.cfm?caseNo=26817>

</opinions/displayOpinion.cfm?caseNo=26941>

</opinions/displayOpinion.cfm?caseNo=26992>

</opinions/HTMLfiles/SC/27293.pdf>

</opinions/HTMLfiles/SC/27509.pdf>

</opinions/HTMLfiles/SC/27639.pdf>

</opinions/HTMLfiles/SC/27730.pdf>

</opinions/displayUnPubOpinion.cfm?caseNo=2004-MO-042>

</opinions/displayOpinion.cfm?caseNo=24959>

</opinions/displayOpinion.cfm?caseNo=25345>

</opinions/displayOpinion.cfm?caseNo=25958>

</opinions/displayOpinion.cfm?caseNo=26229>

</opinions/displayOpinion.cfm?caseNo=26776>

</opinions/displayOpinion.cfm?caseNo=26855>

</opinions/displayOpinion.cfm?caseNo=26958>

</opinions/displayOpinion.cfm?caseNo=27092>

</opinions/HTMLfiles/SC/27415.pdf>

</opinions/HTMLfiles/SC/27525.pdf>

</opinions/HTMLfiles/SC/27671.pdf>

</opinions/HTMLfiles/SC/27743.pdf>

</opinions/HTMLfiles/SC/27476.pdf>

</opinions/HTMLfiles/SC/27552.pdf>

</opinions/HTMLfiles/SC/27702.pdf>

</opinions/HTMLfiles/SC/27784.pdf>

</opinions/unpublishedopinions/HTMLfiles/SC/2016-MO-029.pdf>

</opinions/displayOpinion.cfm?caseNo=24964>

</opinions/displayOpinion.cfm?caseNo=25662>

</opinions/displayOpinion.cfm?caseNo=26107>

</opinions/displayOpinion.cfm?caseNo=26747>

</opinions/displayOpinion.cfm?caseNo=26779>

</opinions/displayOpinion.cfm?caseNo=26940>

</opinions/displayOpinion.cfm?caseNo=26973>

</opinions/HTMLfiles/SC/27182.pdf>

</opinions/HTMLfiles/SC/27479.pdf>

</opinions/HTMLfiles/SC/27568.pdf>

</opinions/HTMLfiles/SC/27706.pdf>

</opinions/HTMLfiles/SC/27823.pdf>

OF the Remaining 351, two (2) are DIG only in part: </opinions/displayOpinion.cfm?caseNo=25437> and </opinions/HTMLfiles/SC/27444.pdf>

**DIGs after oral argument in SC S Ct (published OPINIONS = 93)** (out of 27853 – 24572 = 3281; rate 1/35.3)

Cv-Opinion No. 24572 – Cv-Opinion No. 24590 – Cv-Opinion No. 24625 – Cv-Opinion No. 24634 – Cv-Opinion No. 24635 – **Opinion No. 24852** – Opinion No. 24963 – Opinion No. 25338 – Opinion No. 25369 – Cv-Opinion No. 25472 – Cv-Opinion No. 25475 – Cv-Opinion No. 25502 – Cv-Opinion No. 25565 – Cv-Opinion No. 25604 – **Opinion No. 25620** – **Opinion No. 25622** – Cv-Opinion No. 25625 – Cv-Opinion No. 25739 – **Opinion No. 25749** – Cv-Opinion No. 25754 – Cv-Opinion No. 25755 – Cv-Opinion No. 25773 – Cv-Opinion No. 25901 – **Opinion No. 25994** – Cv-Opinion No. 26006 – Cv-Opinion No. 26060 – Cv-Opinion No. 26072 – **Opinion No. 26260** – Cv-Opinion No. 26309 – **Opinion No. 26332** – Cv-Opinion No. 26368 – **Opinion No. 26396** – Cv-Opinion No. 26545 – **Opinion No. 26570** – Cv-Opinion No. 26576 – **Opinion No. 26580** – Cv-Opinion No. 26590 – Cv-Opinion No. 26651 – **Opinion No. 26652** – Cv-Opinion No. 26727 – **Opinion No. 26746** – Cv-Opinion No. 26769 – **Opinion No. 26772** – Cv-Opinion No. 26781 – **Opinion No. 26842** – Cv-Opinion No. 26937 – **FC-Opinion No. 27046** – **Opinion No. 27068** – Cv-Opinion No. 27174 – **Opinion No. 27184** – Cv-Opinion No. 27198 – **FC-Opinion No. 27199** – **Opinion No. 27203** – **FC-Opinion No. 27213** – **MIE-Opinion No. 27216** – **Opinion No. 27221** – Cv-Opinion No. 27321 – Cv-Opinion No. 27326 – **ALC-Opinion No. 27387** – **Opinion No. 27461** – **Opinion No. 27470** – **Opinion No. 27472** – Cv-Opinion No. 27489 – Cv-Opinion No. 27496 – Cv-Opinion No. 27508 – **Opinion No. 27511** – **Opinion No. 27512** – Cv-Opinion No. 27513 – **MIE-Opinion No. 27527** – **Opinion No. 27539** – Cv-Opinion No. 27540 – Cv-Opinion No. 27542 – Cv-Opinion No. 27577 – Cv-Opinion No. 27578 – **Opinion No. 27581** – **FC-Opinion No. 27584** – **WCC-Opinion No. 27588** – **WCC-P-Opinion No. 27590** – **Opinion No. 27591** – **Opinion No. 27595** – Cv-Opinion No. 27597 – **ALC-Opinion No. 27601** – Cv-Opinion No. 27608 – **Opinion No. 27647** – Cv-Opinion No. 27652 – **Opinion No. 27676** – **Opinion No. 27752** – Cv-Opinion No. 27795 – Cv-Opinion No. 27799 – **Opinion No. 27809** – **WCC-Opinion No. 27848** – Cv-Opinion No. 27849 – Cv-Opinion No. 27853 – **TOTAL: Civil = 48; FC = 4; WCC = 3; ALC = 2; MIE = 2; Criminal = 31 (State petitions = 11, Defense petitions = 20) State-initiated PCR reviews = 3**

**DISs after oral argument in SC S Ct (Unpublished = 93)**

Cv-No. 2004-MO-009 – Cv-No. 2004-MO-010 – Cv-No. 2004-MO-026 – **FC-No. 2004-MO-030** – **No. 2004-MO-036** – **No. 2005-MO-003** – Cv-No. 2005-MO-005 – **No. 2005-MO-022** – Cv-No. 2005-MO-023 – Cv-No. 2005-MO-030 – Cv-No. 2006-MO-007 – Cv- No. 2006-MO-021 – **No. 2006-MO-041** – **FC-No. 2007-MO-029** – **Cv- No. 2007-MO-038** – **FC-No. 2007-MO-043** – **Cv- No. 2007-MO-050** – Cv-No. 2007-MO-074 – **No. 2008-MO-030** – Cv-No. 2008-MO-031 – Cv-No. 2008-MO-033 – Cv-2008-MO-037 = No. 26545 – Cv-No. 2009-MO-032 – Cv-No. 2009-MO-042 – Cv-No. 2009-MO-044 – **No. 2009-MO-046** – Cv- No. 2009-MO-056 – **No. 2009-MO-064** – **No. 2009-MO-065** – **No. 2011-MO-005** – Cv-No. 2011-MO-012 – **MIE-No. 2012-MO-011** – **FC-No. 2012-MO-027** – **No. 2012-MO-030** – **No. 2012-MO-037** –



No. 2012-MO-40 – Cv- No. 2012-MO-043 – No. 2012-MO-050 – No. 2012-MO-051 – No. 2012-MO-053 – Cv-No. 2012-MO-056 – No. 2013-MO-001 – Cv-No. 2013-MO-008 – **No. 2013-MO-020** – Cv-No. 2013-MO-029 – No. 2014-MO-005 – Cv-No. 2014-MO-010 – No. 2014-MO-019 – No. 2014-MO-025 – Cv-No. 2014-MO-029 – No. 2014-MO-030 – No. 2014-MO-040 – **WCC-No. 2014-M25O-041** – Cv-No. 2014-MO-046 – No. 2015-MO-004 – Cv-No. 2015-MO-006 – Cv-No. 2015-MO-010 – No. 2015-MO-011 – No. 2015-MO-012 – Cv-No. 2015-MO-013 – Cv-No. 2015-MO-025 – **No. 2015-MO-027** – No. 2015-MO-028 – **No. 2015-MO-029** – No. 2015-MO-035 – No. 2015-MO-036 – Cv-No. 2015-MO-039 – No. 2015-MO-041 – **WCC-P-No. 2015-MO-059** – **No. 2015-MO-063** – Cv-No. 2015-MO-064 – No. 2015-MO-067 – No. 2015-MO-069 – No. 2016-MO-001 – Cv-No. 2016-MO-003 – No. 2016-MO-012 – No. 2016-MO-022 – Cv-No. 2016-MO-030 – No. 2017-MO-010 – No. 2017-MO-013 – No. 2017-MO-014 – **FC-No. 2017-MO-018** – **FC-No. 2017-MO-019** – Cv-No. 2017-MO-020 – Cv-No. 2018-MO-001 – No. 2018-MO-020 **FC-No. 2018-MO-021** – No. 2018-MO-022 – Cv-No. 2018-MO-024 – No. 2018-MO-031 – No. 2018-MO-032 – No. 2018-MO-35 – No. 2018-MO-042 – **TOTAL: Civil = 37; FC = 7; WCC = 2; MIE = 1; Criminal = 33**; State petitions = 1, Defense = 32; PCR = 13; State-initiated reviews = 4; applicant-initiated reviews = 9

**DIGs after submission to SC S Ct (published OPINIONS = 4):** No. 24553 – No. 24716 – No. 26382 – No. 27094

**DIGs after submission to SC S Ct (Memorandum OPINIONS = 138)**

No. 2004-MO-001 – No. 2004-MO-002 – No. 2004-MO-014 – No. 2004-MO-018 – No. 2004-MO-039 – No. 2004-MO-043 – No. 2004-MO-045 – No. 2004-MO-052 – No. 2004-MO-054 – No. 2004-MO-066 – **No. 2005-MO-010** – No. 2005-MO-015 – No. 2005-MO-018 – No. 2005-MO-034 – No. 2005-MO-035 – No. 2005-MO-039 – No. 2005-MO-048 – No. 2006-MO-003 – **No. 2006-MO-046** – No. 2007-MO-003 – No. 2007-MO-007 – Cv-No. 2007-MO-013 – No. 2007-MO-026 – No. 2007-MO-032 – No. 2007-MO-035 – **No. 2007-MO-041** – No. 2007-MO-045 – **No. 2007-MO-048** – No. 2007-MO-056 – **No. 2007-MO-061** – No. 2007-MO-062 – **No. 2007-MO-063** – **No. 2007-MO-068** – **No. 2007-MO-069** – **No. 2007-MO-070** – No. 2007-MO-073 – No. 2008-MO-004 – No. 2008-MO-005 – **No. 2008-MO-011** – **No. 2008-MO-019** – No. 2008-MO-022 – No. 2008-MO-032 – **No. 2008-MO-040** – **No. 2008-MO-042** – No. 2008-MO-043 – **No. 2008-MO-046** – No. 2008-MO-051 – No. 2009-MO-001 – **No. 2009-MO-003** – No. 2009-MO-004 – **No. 2009-MO-005** – No. 2009-MO-006 – No. 2009-MO-009 – No. 2009-MO-010 – No. 2009-MO-011 – No. 2009-MO-014 – No. 2009-MO-016 – **No. 2009-MO-021** – No. 2009-MO-023 – No. 2009-MO-026 – No. 2009-MO-031 – **No. 2009-MO-038** – No. 2009-MO-039 – No. 2009-MO-041 – No. 2009-MO-048 – No. 2009-MO-050 – No. 2009-MO-053 – No. 2009-MO-063 – **No. 2010-MO-001** – No. 2010-MO-005 – No. 2010-MO-018 – No. 2010-MO-024 – No. 2011-MO-009 – No. 2011-MO-010 – **No. 2011-MO-011** – No. 2011-MO-013 – No. 2011-MO-018 – No. 2011-MO-024 – No. 2011-MO-025 – No. 2011-MO-028 – No. 2011-MO-029 – No. 2011-MO-031 – No. 2011-MO-034 – No. 2011-MO-035 – No. 2012-MO-012 – No. 2012-MO-013 – No. 2012-MO-014 – No. 2012-MO-017 – No. 2012-MO-022 – No. 2012-MO-024 – No. 2012-MO-025 – **No. 2012-MO-036** – No. 2012-MO-038 – Cv-No. 2012-MO-044 – No. 2012-MO-048 – **No. 2013-MO-002** – No. 2013-MO-006 – No. 2013-MO-007 – **No. 2013-MO-026** – No. 2013-MO-027 – No. 2013-MO-028 – No. 2013-MO-030 – No. 2014-MO-008 – **FC-No. 2014-MO-013** – No. 2015-MO-008 – No. 2015-MO-016 – **No. 2015-MO-024** – No. 2015-MO-038 – No. 2015-MO-044 – No. 2015-MO-058 – No. 2015-MO-066 – No. 2015-MO-071 – No. 2015-MO-074 – No. 2016-MO-002 – No. 2016-MO-004 – No. 2016-MO-006 – No. 2016-MO-007 – No. 2016-MO-008 – No. 2016-MO-016 – No. 2016-MO-021 – No. 2016-MO-025 – No. 2016-MO-027 – No. 2016-MO-028 – No. 2016-MO-031 – Cv- No. 2016-MO-032 – No. 2017-MO-017 – No. 2017-MO-021 – No. 2017-MO-022 – No. 2018-MO-002 – No. 2018-MO-003 – No. 2018-MO-004 – No. 2018-MO-005 – No. 2018-MO-006 – No. 2018-MO-007 – No. 2018-MO-008 – No. 2018-MO-033 – **No. 2018-MO-036** – No. 2018-MO-037 – **TOTAL: Civil = 3; FC = 1; Criminal = 1** Def. petition; PCR = 133; State-initiated reviews = 27; applicant-initiated reviews = 106

**Other (3)** *Opinion No. 25775* – *Opinion No. 26084* = *Opinion No. 2005-MO-061* – *Opinion No. 26463* –

**Orders (4)** 2005-10-19-02; 2011-04-21-02; 2015-11-06-01; 2016-03-24-02

**CoA DaIG after submission (UP = 3)** No. 2007-UP-412 – No. 2015-UP-576 – No. 2016-UP-007

**DIGs after oral argument in SC S Ct – Published.**

**Cv-Opinion No. 24572** - Davis Adv. Sh. No. 4 - James Earl Wright, Employee, Claimant, Respondent, v. Michelin Tire Corporation, Employer, and Hartford Accident & Indemnity Company, Carrier, Appellants - Spartanburg County - William H. Ballenger, Judge - **Heard January 21, 1997** - Filed February 3, 1997. H. Spencer King, of Spartanburg, for Appellants. Andrew N. Poliakoff, of Spartanburg, for Respondent. **Per Curiam:** After a review of the entire record, we dismiss the writ of certiorari as improvidently granted.

**Cv-Opinion No. 24590** - Davis Adv. Sh. No. 8 - James L. Brown, Jr., a/k/a James L. Brown, Petitioner, v. Dal H. Felkel and Dal H. Felkel & Associates **CERTIORARI TO THE COURT OF APPEALS** - Florence County - Ralph King Anderson, Jr., Judge - **Heard January 21, 1997** - Filed March 10, 1997. E. N. Zeigler, of Florence, for appellant. Kenneth R. Young, Jr., of Young, Young & Reiter, P.A., of Sumter and Daryl J. Corbin, of Florence, for respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in *Brown v. Felkel*, 320 S.C. 292, 465 S.E.2d 93 (Ct. App. 1995). **We dismiss certiorari as improvidently granted.**

**Cv-Opinion No. 24625** - Davis Adv. Sh. No. 16 - Patricia Louise Morgan, Employee, Respondent, v. JPS Automotives, Employer, and Liberty Mutual Insurance Company, Carrier. **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - Frank P. McGowan, Jr., Judge - **Heard May 7, 1997** - Filed June 2, 1997. Richard B. Kale and Jeffrey S. Jones, both of Haynsworth, Marion, McKay & Guerard, of Greenville, for Petitioners. Gregory A. Morton, of Donnan, Morton, Davis & Snyder, of Greenville, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in *Morgan v. JPS Automotives*, 321 S.C. 201, 467 S.E.2d 457 (Ct. App. 1996). **We dismiss certiorari as improvidently granted.**

**Cv-Opinion No. 24634** - Davis Adv. Sh. No. 17 - Nandalyn Heaitley, Respondent v. Brittingham, Dial & Jeffcoat. **CERTIORARI TO THE COURT OF APPEALS** - Lexington, County - Walter J. Bristow, Jr., Judge - **Heard December 5, 1996** - Filed June 9, 1997. Franklin G. Shuler, Jr., and Danny C. Crowe, both of Turner, Padgett, Graham & Laney, P.A., of Columbia, for Petitioner. Charles R. Norris, of Nelson, Mullins, Riley & Scarborough, of Charleston, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in *Heaitley v. Brittingham, Dial & Jeffcoat*, S.C., 465 S.E.2d 763 (Ct. App. 1995). **We dismiss certiorari as improvidently granted.**

**Cv-Opinion No. 24635** - Davis Adv. Sh. No. 17 - James Gilmer, both personally and as Personal Representative of the Estate of Mallie S. Gilmer, Peitioner v. John W. Martin, M.D.- Anderson County - Rodney A. Peebles, Judge - **Heard June 4, 1997** - Filed June 16, 1997. J. Stephen Welch of Welch & Crain, LLC, of Greenwood, for petitioner. John L. Choate and Allen Levin of Cozen & O'Connor, of Columbia, for respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in *Gilmer v. Martin*, S.C., 473 S.E.2d 812 (Ct. App. 1996). **We dismiss certiorari as improvidently granted.**

**Opinion No. 24852** - Davis Adv. Sh. XX- **The State, Petitioner, v. Kenneth Rodriquez, a/k/a Michael Frasier. CERTIORARI TO THE COURT OF APPEALS** - Charleston County - R. Markley Dennis, Jr., Circuit Judge - **Heard October 21, 1998** - Filed November 9, 1998. Attorney General Charles M. Condon, Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Caroline Callison Tiffin, all of Columbia; and Solicitor David P. Schwacke, of North Charleston, for Petitioner. Assistant Appellate Defender Melissa J. Reed Kimbrough, of S. C. Office of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in *State v. Rodriquez*, 323 S.C. 484, 476 S.E.2d 161 (Ct. App. 1996). **We dismiss certiorari as improvidently granted.**

**Opinion No. 24963** - Shearouse Adv. Sh. No. 23 - **The State, Respondent, v. Calvin Basil Smith A/K/A Elwaldo R. James. CERTIORARI TO THE COURT OF APPEALS** - York County - Paul E. Short, Jr., Circuit Judge - **Heard April 20, 1999** - Filed July 6, 1999. Deputy Chief Attorney Joseph L. Savitz, III, of South Carolina Office of Appellate Defense, of Columbia, for petitioner. Attorney General Charles M. Condon, Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General G. Robert Deloach, III, all of Columbia; and Solicitor Thomas E. Pope, of York, for respondent. - **PER CURIAM:** We issued a writ of certiorari to review the opinion of the Court of Appeals in *State v. Smith*, 329 S.C. 550, 495 S.E.2d 798 (Ct. App. 1998). After careful consideration of the briefs and arguments, **we have decided that the writ was improvidently granted.**

**Opinion No. 25338** - **The State, Respondent, v. Ui Sun Hudson – CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Charles W. Whetstone, Jr., Circuit Judge - **Heard June 19, 2001** - Filed August 6, 2001. John D. Elliott, Assistant Appellate Defender Robert M. Pachak, of the South Carolina Office of Appellate Defense, both of Columbia, and D. Ashley Pennington, of North Charleston, for petitioner. Attorney General Charles M. Condon, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Robert E. Bogan, all of Columbia, and Solicitor David Price Schwacke, of North Charleston, for respondent. Lesly A. Bowers, of Columbia, for *amicus curiae* Protection and Advocacy for People with Disabilities, Inc. **PER CURIAM:** This Court granted the petition for a writ of certiorari to review the Court of Appeals' opinion in *State v. Hudson*, 336 S.C. 237, 519 S.E.2d 577 (Ct. App. 1999). After careful consideration, **we now dismiss certiorari as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E.C. Burnett, III J. s/Costa M. Pleicones J.

**Opinion No. 25369** - The State, Respondent v. Albert Garvin. - CERTIORARI TO THE COURT OF APPEALS. Beaufort County - Luke N. Brown, Jr., Circuit Judge - **Heard October 9, 2001** - Filed October 29, 2001. Assistant Appellate Defender Tara S. Taggart, of the Office of Appellate Defense of Columbia, for petitioner. Attorney General Charles M. Condon, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Charles H. Richardson, Senior Assistant Attorney General Norman Mark Rapoport, all of Columbia; and Solicitor Randolph Murdaugh, III, of Hampton, for respondent. **PER CURIAM:** This Court granted the petition for a writ of certiorari to review the Court of Appeals' opinion in State v. Garvin, 341 S.C. 122, 533 S.E.2d 591 (Ct. App. 2000). After careful consideration, **we now dismiss as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E.C. Burnett, III J. s/Costa M. Pleicones J.

**Cv-Opinion No. 25472** - Isiah Rudy Loadholt, in his capacity as Sheriff of Hampton County, Petitioner, v. South Carolina State Budget and Control Board, Division of General Services, Insurance Reserve Fund, Respondent, v. Sherry Capers, Tounda Taylor, and Kim Davenport, Petitioners. CERTIORARI TO THE COURT OF APPEALS - Richland County - L. Casey Manning, Circuit Judge - **Heard May 14, 2002** - Filed May 28, 2002. William T. Toal, of Johnson, Toal & Battiste, of Columbia, for petitioner Isiah Rudy Loadholt. Joel D. Bailey, of The Bailey Law Firm, P.A., of Beaufort, for petitioners Capers, Taylor & Davenport. Andrew F. Lindemann and William H. Davidson, II, both of Davidson, Morrison and Lindemann, P.A., of Columbia, for respondent. Edward A. Frazier, of Law Office of Ed Frazier, of Lexington; and Alford Haselden, of Haselden, Owen & Boloan, of Clover, for *Amicus Curiae* South Carolina Trial Lawyers Association. **PER CURIAM:** After careful review of the appendix and briefs, **we dismiss the writ of certiorari as improvidently granted.** MOORE, A.C.J., WALLER, BURNETT, PLEICONES, JJ., and Acting Justice George T. Gregory, concur.

**Cv-Opinion No. 25475** - Unisun Insurance, Respondent, v. Bruce Hawkins, Tony Hawkins and Ruby Hawkins, Defendants, of whom Bruce Hawkins is Petitioner. CERTIORARI TO THE COURT OF APPEALS - Greenville County - Charles B. Simmons, Jr., Circuit Judge - **Heard May 14, 2002** - Filed June 3, 2002. Robert D. Moseley, Jr., of Leatherwood Walker Todd & Mann, P.C., and H. Brent Fortson, both of Greenville, for petitioner. John F. Martin, of Martin Law Firm, of Charleston, for respondent. **PER CURIAM:** This Court granted the petition for a writ of certiorari to review the Court of Appeals' opinion in Unisun Ins. v. Hawkins, 342 S.C. 537, 537 S.E.2d 559 (Ct. App. 2000). After careful consideration, **we now dismiss certiorari as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E.C. Burnett, III J. s/Costa M. Pleicones J.

**Cv-Opinion No. 25502** - R&G Construction, Inc., Respondent, v. Lowcountry Regional Transportation Authority. CERTIORARI TO THE COURT OF APPEALS - Beaufort County - Jackson V. Gregory, Circuit Judge - **Heard June 26, 2002** - Filed July 22, 2002. H. Fred Kuhn, Jr., of Moss & Kuhn, of Beaufort, for petitioner. William B. Harvey, III, of Harvey & Battey, of Beaufort, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the Court of Appeals in R&G Constr., Inc. v. Lowcountry Regional Transp. Authority, 343 S.C. 424, 540 S.E.2d 113 (Ct. App. 2000). **We dismiss certiorari as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E.C. Burnett, III J. s/Costa M. Pleicones J.

**Cv-Opinion No. 25565** - South Carolina Department of Consumer Affairs, Petitioner, v. Rent-A-Center, Inc., a/k/a Thorn Americas, Inc. CERTIORARI TO THE COURT OF APPEALS - Richland County - James W. Johnson, Jr., Circuit Judge - **Heard November 20, 2002** - Filed December 9, 2002. Helen Fennell and Danny R. Collins, of South Carolina Department of Consumer Affairs, of Columbia, for Petitioner. Thomas H. Pope, III, of Pope and Hudgens, P.A., of Newberry, for Respondent. **PER CURIAM:** This Court granted the petition for a writ of certiorari to review the Court of Appeals' opinion in South Carolina Dep't of Consumer Affairs v. Rent-A-Center, Inc., 345 S.C. 251, 547 S.E.2d 881 (Ct. App. 2001). After careful consideration, **we now dismiss certiorari as improvidently granted.** TOAL, C.J., WALLER, BURNETT and PLEICONES, JJ., and Acting Justice Henry F. Floyd concur.

**Cv-Opinion No. 25604** - Joshua Davis, Petitioner, v. Orangeburg-Calhoun Law Enforcement Commission. CERTIORARI TO THE COURT OF APPEALS - Orangeburg County - Donald W. Beatty, Circuit Judge - **Heard March 4, 2003** - Filed March 10, 2003. Benjamin Allen Dunn, of Dunn Dunn & Peeples and J. Lewis Cromer, of Cromer & Mabry, both of Columbia for Petitioner. Kathryn Thomas and Derwood L. Aydlette, III, both of Gignilliat Savitz & Bettis, of Columbia for Respondent. M. Brian Magargle and Melissa A. Inzerillo, both of Haynsworth Baldwin Johnson & Greaves, of Columbia for *Amicus Curiae*. **PER CURIAM:** After full review of the Appendix and briefs, **we dismiss the writ of certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Opinion No. 25620** - The State, Respondent, v. Dennis Zulfer. CERTIORARI TO THE COURT OF APPEALS - Richland County - Paul E. Short, Jr., Circuit Judge - **Heard March 19, 2003** - Filed April 7, 2003. Assistant Appellate Defender Aileen P. Clare, of Columbia; for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Charles H. Richardson, and Senior Assistant Attorney General Harold M. Coombs, Jr., and Solicitor Warren B. Giese, of Columbia for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' opinion in State v. Zulfer, 345 S.C. 258, 547 S.E.2d 885 (Ct. App. 2001). After careful consideration, **we dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Opinion No. 25622** - The State, Petitioner, v. Jon Pierre Lacoste. CERTIORARI TO THE COURT OF APPEALS - York

County - Wyatt T. Saunders, Jr, Circuit Judge - **Heard March 18, 2003** - Filed April 7, 2003. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Charles H. Richardson, all of Columbia; and Solicitor Thomas E. Pope, of York, for Petitioner. Assistant Appellate Defender Robert M. Pachak, of Columbia, for Respondent. **PER CURIAM:** After full review of the Appendix and briefs, **we dismiss the writ of certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Opinion No. 25625** - Charles W. Bailey, Respondent, v. Ralph W. Segars, Jr. CERTIORARI TO THE COURT OF APPEALS - Darlington County - Paul M. Burch, Circuit Judge - **Heard April 1, 2003** - Filed April 7, 2003. Louis D. Nettles, of Nettles, McBride, Hoffmeyer, PA, of Florence, for Petitioner. Charles E. Carpenter, Jr., and S. Elizabeth Brosnan, both of Richardson, Plowden, Carpenter & Robinson, PA, of Columbia; and Paul V. Cannarella, of Hartsville, for Respondent. **PER CURIAM:** We granted certiorari to consider the decision of the Court of Appeals in Bailey v. Segars, 346 S.C. 359, 550 S.E.2d 910 (Ct. App. 2001). **We now dismiss that writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Opinion No. 25739** - Case No. 96-CP-32-0968 - Wannelle Hedgepath, Andrew Hedgepath, and Kristin Hedgepath, Plaintiffs, v. American Telephone and Telegraph Company, a corporation, AT&T Nassau Metals Corporation, Gaston Copper Recycling Corporation, and Southwire Company, Defendants. Case No. 96-CP-32-1016 Karen Mack as Personal Representative of the Estate of Toby L. Sharpe, Sr., Petitioner, v. American Telephone and Telegraph Company, a corporation, AT&T Nassau Metals Corporation, Gaston Copper Recycling Corporation, and Southwire Company, of whom Gaston Copper Recycling Corporation, and Southwire Company, are Respondents, Case No. 96-CP-32-2573 Maggie Banyard, et al., Plaintiffs, v. American Telephone and Telegraph Company, a corporation, AT&T Nassau Metals Corporation, Gaston Copper Recycling Corporation, and Southwire Company, Defendants. CERTIORARI TO THE COURT OF APPEALS - Lexington County - Marc H. Westbrook, Circuit Judge - **Heard October 9, 2003** - Filed October 27, 2003. Raymon E. Lark, Jr., of Austin, Lewis & Rogers, of Columbia, for petitioner. Mark S. Barrow and William R. Calhoun, Jr., both of Sweeny, Wingate & Barrow, of Columbia, for respondents. **PER CURIAM:** We granted certiorari to review the Court of Appeals' opinion in Hedgepath v. AT&T, 348 S.C. 340, 559 S.E.2d 327 (Ct. App. 2001). After careful consideration, **we dismiss certiorari as improvidently granted.** MOORE, A.C.J., WALLER, BURNETT, PLEICONES, JJ., and Acting Justice L. Casey Manning, concur.

**Opinion No. 25749** - The State, **Petitioner**, v. Leonard Brown. CERTIORARI TO THE COURT OF APPEALS - Aiken County - Rodney A. Peeples, Circuit Judge - **Heard November 5, 2003** - Filed November 10, 2003. Teresa A. Knox, Deputy Director for Legal Services, Legal Counsel Tommy Evans, Jr., and Legal Counsel J. Benjamin Aplin, all of S.C. Dept. of Probation, Parole & Pardon Services, of Columbia, for Petitioner. Deputy Chief Attorney Joseph L. Savitz, III, of S.C. Office of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the decision of the Court of Appeals in State v. Brown, 349 S.C. 414, 563 S.E.2d 339 (Ct. App. 2002). After careful consideration of the Appendix and briefs, **we dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, concur.

**Cv-Opinion No. 25754** - Allendale County Bank, Respondent, v. George W. Cadle, Peerless Group, Inc., JEJ Construction, Inc., Red Earth Environmental, Inc., Steffen Robertson and Kirsten (U.S.), Inc., E & J Landscaping, Inc., and Wastemasters of South Carolina, Inc., Of whom Steffen Robertson and Kirsten (U.S.), Inc. and E & J Landscaping, Inc. are Petitioners. CERTIORARI TO THE COURT OF APPEALS - Allendale County Perry M. Buckner, Special Referee - **Heard November 4, 2003** - Filed November 24, 2003. Gary H. Smith, III, of Braithwaite, Smith, Massey & Brodie, of Aiken, for petitioner E & J Landscaping, Inc. Ladson H. Beach, Jr., of Orangeburg, and James B. Richardson, of Richardson & Birdsong, of Columbia, for petitioner Steffen Robertson and Kirsten (U.S.), Inc. Walter H. Sanders, Jr., of Fairfax, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Allendale County Bank v. Cadle, 348 S.C. 367, 559 S.E.2d 342 (Ct. App. 2001). After careful consideration, **we dismiss the writ as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E. C. Burnett, III J. s/Costa M. Pleicones, J

**Cv-Opinion No. 25755** - Cheap-O's Truck Stop, Inc., Respondent, v. Chris Cloyd and United Oil Marketers, Inc. Midlands Gaming, Inc., Respondent, v. Chris Cloyd, United Oil Marketers, Inc., and United Gaming. CERTIORARI TO THE COURT OF APPEALS - Lexington County - James W. Johnson, Jr., Circuit Judge - Kenneth G. Goode, Circuit Judge - **Heard November 5, 2003** - Filed November 24, 2003. Timothy G. Quinn, of Columbia, for petitioners. S. Jahue Moore and M. Ronald McMahan, Jr., of Moore, Taylor, & Thomas, P.A., of West Columbia, for respondents. **PER CURIAM:** We granted this petition for a writ of certiorari to review the Court of Appeals' decision in Cheap-O's Truck Stop, Inc. v. Cloyd, 350 S.C. 596, 567 S.E.2d 514 (Ct. App. 2002). After careful consideration, **we now dismiss certiorari as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E. C. Burnett, III J. s/Costa M. Pleicones J

**Cv-Opinion No. 25773** - Robertson v. First Union National Bank Willie Robertson, Raymond Brown and Richard Pinckney, individually and d/b/a Hollywood Financial Enterprises, Inc., Petitioners, v. First Union National Bank formerly known as First Union National Bank of South Carolina and Atlantic Appraisals, Respondents, v. United States of America by and through its agency, The Department of Treasury-Internal Revenue Service, South

Carolina Department of Revenue and Taxation, Charleston County Business License User Fees Department, Respondents. **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - R. Markley Dennis, Jr., Circuit Judge - **Heard November 18, 2003** - Filed January 27, 2004. Edward M. Brown, of Edward M. Brown & Associates, of Charleston, for Petitioners. Joe S. Dusenbury, Jr., of the South Carolina Department of Revenue, of Columbia; LaVerne H. Manning, of the U.S. Attorney's Office, of Columbia; Samuel W. Howell, IV, of Howell & Linkous, of Charleston; Stephen P. Groves, Sr., and H. Michael Bowers, of Nexsen, Pruet, Jacobs, Pollard & Robinson, of Charleston; W. Andrew Gowder, Jr., and Amanda Rajsich, of Pratt-Thomas, Epting & Walker, of Charleston, for Respondents. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Robertson v. First Union Nat'l Bank, 350 S.C. 339, 565 S.E.2d 309 (Ct. App. 2002). After careful consideration, **we dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice John W. Kittredge, concur.

**Cv-Opinion No. 25901** - Sherwood N. Fender, Petitioner, v. Heirs at Law of Roger Smashum, John Smashum and Arthur Smashum, if living or such heirs of them as may be living; Carolee H. Goodwine, Mae Olive Henderson, Audrey Polite Sawyer, Diana Cornish, Heirs of John Frasier, if living or such heirs of them as may be living; Bernadette Anderson, Eloise Gadson and all other persons unknown, having or claiming any right, title or estate or interest in or lien upon the real property described in the complaint herein, being designated collectively as John Doe and Sarah Roe, including all minors, persons in the armed forces, insane persons and all other persons under any other disability who might have or claim to have any right, title or interest in or lien upon the real property described in the complaint herein, Defendants, of whom Henrietta Jones, Sarah Shepard and Lucy Smith, as heirs at law of John Smashum, and Queen Smashum, as grantee of Adam Smashum, heir at law of John Smashum, are Respondents. **CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Perry M. Buckner, Circuit Judge - **Heard November 17, 2004** - Filed November 29, 2004. Alysoun Mere Eversole, of Beaufort, for Petitioner. Derek C. Gilbert, of Harvey & Battey, P.A., of Beaufort, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Fender v. Heirs at Law of Smashum, 354 S.C. 504, 581 S.E.2d 853 (Ct. App. 2003). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT, JJ., and Acting Justice Marion D. Myers, concur.

**Opinion No. 25994** - Jack L. Hinton, Jr., **Respondent**, v. South Carolina Department of Probation, Parole and Pardon Services. **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - Charles B. Simmons, Jr., Circuit Judge - **Heard May 5, 2005** - Filed June 6, 2005. Deputy Director Teresa A. Knox, Legal Counsel J. Benjamin Aplin, Legal Counsel Lovee McKinney Watts, all of South Carolina Department of Probation, Pardon and Parole, of Columbia, for Petitioner. William M. Hagood, III, Love, Thornton, Arnold & Thomason, of Greenville, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in Hinton v. S.C. Dep't of Probation, Parole, and Pardon Servs., 357 S.C. 327, 592 S.E.2d 335 (Ct. App. 2004). **We now dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Opinion No. 26006** - G & P Trucking, Petitioner, v. Parks Auto Sales Service & Salvage, Inc. **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Daniel F. Pieper, Circuit Judge - **Heard June 16, 2005** - Filed June 27, 2005. Stephen E. Darling and Kari Hubbard, of Haynsworth, Sinkler & Boyd, P.A., of Charleston, for Petitioner. Robert A. McKenzie and Gary H. Johnson, II, of McDonald, McKenzie, Rubin, Miller & Lybrand, L.L.P., of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in G&P Trucking v. Parks Auto Sales, Serv. & Salvage, Inc., 357 S.C. 82, 591 S.E.2d 42 (Ct. App. 2003). **We now dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Opinion No. 26060** - Gregory Tillotson, Respondent, v. Keith Smith Builders - **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - Charles B. Simmons, Jr., Circuit Judge - **Heard October 6, 2005** - Filed November 7, 2005. James W. Logan, Jr., of Logan, Jolly & Smith, LLP, of Anderson, for Petitioner. Kenneth C. Porter, of Porter & Rosenfeld, of Greenville, for Respondent. Jack D. Griffith, of Love, Thornton, Arnold & Thomason, of Greenville, for Amicus Curiae. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in Tillotson v. Keith Smith Builders, 357 S.C. 554, 593 S.E.2d 621 (Ct. App. 2004). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Opinion No. 26072** - Richard N. Kennedy, Respondent, v. Scott Edward Griffin and Dick Simon Trucking, Inc. **CERTIORARI TO THE COURT OF APPEALS** - Cherokee County - Gary E. Clary, Circuit Judge - **Heard October 18, 2005** - Filed November 28, 2005. William S. Brown, of Nelson Mullins Riley & Scarborough, L.L.P., of Greenville, for petitioners. Kenneth L. Holland, of Gaffney, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Kennedy v. Griffin, 358 S.C. 122, 595 S.E.2d 248 (Ct. App. 2004). **After careful consideration, we dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Opinion No. 26260** - **The State, Petitioner**, v. Michael Dunbar. **CERTIORARI TO THE COURT OF APPEALS** - Lexington County - Rodney A. Peebles, Circuit Judge - **Heard January 18, 2007** - Filed February 5, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Attorney General Norman Mark Rapoport, all of Columbia; and Donald V. Myers, of Lexington, for petitioner. Appellate Defender Kathrine H. Hudgins, of

Columbia, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the Court of Appeals' opinion in State v. Dunbar, 361 S.C. 240, 603 S.E.2d 615 (Ct. App. 2004). After careful consideration, **we now dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Opinion No. 26309** - Gary E. McClain, Respondent, v. Pactiv Corporation, Howard Sellers, Tim Randall, Jody Rowland, Joseph P. Berley, Linda Milton, Joe Powell, Doug Boynton, Larry Wonoski, Joe Garrison, Ron Clark and Robin Montgomery, Defendants, of whom Pactiv Corporation and Joseph P. Berley are, Petitioners. **CERTIORARI TO THE COURT OF APPEALS.** - Aiken County - Rodney A. Peebles, Circuit Judge - **Heard March 21, 2007** - Filed April 9, 2007. Paul H. Derrick, of Jackson Lewis, LLP, of Cary, North Carolina, for Petitioners. J. Dennis Bolt, of Bolt Law Firm, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in McClain v. Pactiv Corp., 360 S.C. 480, 602 S.E.2d 87 (Ct. App. 2004). After careful review of the appendix and briefs, **we dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Opinion No. 26332** - The State, Respondent, v. Kristopher M. Miller. **CERTIORARI TO THE COURT OF APPEALS** - Anderson County - J. C. Buddy Nicholson, Jr., Circuit Judge - **Heard May 22, 2007** - Filed June 4, 2007. Appellate Defender LaNell Durant, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Deborah R. J. Shupe, all of Columbia, and Solicitor Christina Theos Adams, of Anderson, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in State v. Miller, 363 S.C. 635, 611 S.E.2d 309 (Ct. App. 2005). After careful consideration, **we now dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, BURNETT, PLEICONES, JJ., and Acting Justice J. Michelle Childs, concur.

**Cv-Opinion No. 26368** - Teresa A. Bass, Respondent, v. Isochem and St. Paul & Marine Insurance Co. **CERTIORARI TO THE COURT OF APPEALS** - York County Paul E. Short, Jr., Circuit Judge - **Heard June 5, 2007** - Filed August 6, 2007. Stanford E. Lacy and Rebecca C. Kirkland, of Collins & Lacy, of Columbia, for petitioners. David Benson, of Elrod Jones Leader & Benson, of Rock Hill, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Bass v. Isochem, 365 S.C. 454, 617 S.E.2d 369 (Ct. App. 2005). After careful consideration, **we dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, BURNETT, PLEICONES, JJ., and Acting Justice Arthur E. Morehead, III, concur.

**Opinion No. 26396** - The State, Petitioner, v. Christopher L. James. **CERTIORARI TO THE COURT OF APPEALS.** Edgefield County - William P. Keesley, Circuit Judge - **Heard October 18, 2007** - Filed November 19, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Senior Assistant Attorney General Harold M. Coombs, Jr., of Columbia; and Donald V. Myers, of Lexington, for petitioner. Chief Appellate Defender Joseph L. Savitz, III, of the South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the Court of Appeals' opinion in State v. James, 362 S.C. 557, 608 S.E.2d 455 (Ct. App. 2004). After careful consideration, **we now dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice J. Michael Baxley, concur.

**Cv-Opinion No. 26545 = 2008-MO-037** - Berrien W. Smith, Respondent, v. J. Drayton Hastie, Jr., and Everett L. Smith, Jr., Defendants, of whom J. Drayton Hastie, Jr. is Petitioner. **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Thomas L. Hughston, Jr., Circuit Judge - **Heard June 24, 2008** - Re-filed September 8, 2008. Richard S. Rosen, of Rosen, Rosen and Hagood, of Charleston, for Petitioner. Thomas A. Pendarvis, of Beaufort, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in Smith v. Hastie, 367 S.C. 410, 626 S.E.2d 13 (Ct. App. 2005). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice Howard P. King, concur.

**Opinion No. 26570** - The State, Respondent, v. Craig Duval Davis. **CERTIORARI TO THE COURT OF APPEALS** - Horry County - Daniel F. Pieper, Circuit Judge - **Heard November 18, 2008** - Filed December 15, 2008. John S. Nichols, of Bluestein Nichols Thompson and Delgado, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Deborah R. J. Shupe, of Columbia, John Gregory Hembree, of Conway, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals decision in State v. Davis, 371 S.C. 412, 639 S.E.2d 457 (Ct. App. 2006). After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, BEATTY, KITTREDGE, JJ. and Acting Justice James E. Moore, concur.

**Cv-Opinion No. 26576** - Robert S. Brannon and Kimberly C. Brannon, Petitioners, v. The Palmetto Bank and Howard Barnard, Defendants, of whom The Palmetto Bank is the Respondent. **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - John C. Few, Circuit Judge - **Heard December 3, 2008** - Filed January 5, 2009. H. Michael Spivey and Melissa D. Spivey, of Mauldin, for Petitioners. F. Marion Hughes and Seann Gray Tzouvelekas, of Leatherwood, Walker, Todd & Mann, of Greenville, for Respondent. **PER CURIAM:** We granted a writ of certiorari to

review the Court of Appeals decision in Brannon v. Palmetto Bank, 371 S.C. 357, 638 S.E.2d 105 (Ct. App. 2006). After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, KITTREDGE, JJ., and Acting Justice James E. Moore, concur.

**Opinion No. 26580** - The State, Respondent, v. William Rhett Snowdon. **CERTIORARI TO THE COURT OF APPEALS** - Pickens County - Larry R. Patterson, Circuit Judge - **Heard January 6, 2009** - Filed January 12, 2009. Chief Appellate Defender Joseph L. Savitz, III, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Deborah R. J. Shupe, all of Columbia, and Solicitor Robert Mills Ariail, of Greenville, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in State v. Snowdon, 371 S.C. 331, 638 S.E.2d 91 (Ct. App. 2006). **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice E. C. Burnett, III, concur.

**Cv-Opinion No. 26590** - Kenneth W. Sanders, Petitioner, v. MeadWestvaco Corporation, Self-insured Employer. **CERTIORARI TO THE COURT OF APPEALS** - Newberry County - Wyatt T. Saunders, Jr., Circuit Judge - **Heard January 8, 2009** - Filed January 26, 2009. Ben C. Harrison & Jeremy A. Dantin, of Harrison, White, Smith & Coggins, PC, of Spartanburg, for Petitioner. Kirsten L. Barr, of Trask & Howell, LLC, of Mt. Pleasant, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals decision in Sanders v. MeadWestvaco Corp., 371 S.C. 284, 638 S.E.2d 66 (Ct. App. 2006). After a thorough review of the record and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Cv-Opinion No. 26651** - Ernest Lamar Bradley and Esther K. Bradley, Petitioners, v. John Doe and AccuSweep, Inc. **CERTIORARI TO THE COURT OF APPEALS** - Dorchester County - Diane Schafer Goodstein, Circuit Judge - **Heard April 22, 2009** - Filed May 18, 2009. Donald H. Howe, of Howe & Wyndham, and Walter Bilbro, Jr., both of Charleston, for Petitioner. Margaret F. Horn, of Wilson & Heyward, of Charleston, for Respondent. **PER CURIAM:** This Court granted a petition for a writ of certiorari to review the decision of the Court of Appeals in Bradley v. Doe, 374 S.C. 622, 649 S.E.2d 153 (Ct. App. 2007). **We dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice James R. Barber, concur.

**Opinion No. 26652** - The State, Respondent, v. Theresa Claypoole. **CERTIORARI TO THE COURT OF APPEALS** - Lexington County - Marc H. Westbrook, Circuit Judge - **Heard March 4, 2009** - Filed May 18, 2009. Deputy Chief Appellate Defender for Capital Appeals Robert M. Dudek, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, and Solicitor Donald V. Myers, of Lexington, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' opinion in State v. Claypoole, 371 S.C. 473, 639 S.E.2d 466 (Ct. App. 2006). **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, KITTREDGE, JJ., and Acting Justices James E. Moore and James A. Spruill, concur.

**Cv-Opinion No. 26727** - Eugene Jamison and Delores Isaac, individually and as Personal Representative of the Estate of Virnell Isaac, Petitioners, v. Ford Motor Company. **CERTIORARI TO THE COURT OF APPEALS** - Berkeley County - R. Markley Dennis, Jr., Circuit Judge - **Heard September 15, 2009** - Filed September 28, 2009. James E. Carter, of Savannah, GA, Samuel K. Allen, of Anastopoulo and Clone, of Charleston; and Stephanie P. McDonald, of Senn, McDonald & Leinbach, of Charleston, for Petitioners. J. Kenneth Carter, Jr. and Curtis L. Ott, both of Turner, Padgett, Graham & Laney, of Columbia, for Respondent. **PER CURIAM:** After careful consideration, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice James E. Moore, concur.

**Opinion No. 26746** - The State, Respondent, v. Lawrence Tucker. **CERTIORARI TO THE COURT OF APPEALS** - Calhoun County - James C. Williams, Jr., Circuit Judge - **Heard November 30, 2009** - Filed December 7, 2009. Appellate Defender Kathrine H. Hudgins, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Senior Assistant Attorney General Norman Mark Rapoport, Assistant Attorney General Mark R. Farthing, all of Columbia, and Solicitor David M. Pascoe, Jr., of Summerville, for Respondent. **PER CURIAM:** This Court granted Lawrence Tucker's petition for a writ of certiorari to review the decision of the Court of Appeals in State v. Tucker, 376 S.C. 412, 656 S.E.2d 403 (Ct. App. 2008), in which the Court of Appeals affirmed Tucker's plea of guilty involving an alleged violation of the Interstate Agreement on Detainers Act (IAD). After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice James E. Moore, concur.

**Cv-Opinion No. 26769** - Ted Corbett, Petitioner, v. Jordan William Weaver, a minor over the age of fourteen (14) years, and Michael Joel Weaver, Defendants, of whom Michael Joel Weaver is the Respondent. **CERTIORARI TO THE COURT OF APPEALS** - Florence County - Daniel F. Pieper, Circuit Judge - **Heard January 6, 2010** - Filed February 8, 2010. E. LeRoy Nettles, Sr., and Marian D. Nettles, both of Nettles, Turbeville & Reddeck, of Lake City, for

Petitioner. Robert C. Brown, of Brown & Brehmer, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals decision in Corbett v. Weaver, 380 S.C. 288, 669 S.E.2d 615 (Ct. App. 2008). After a thorough review of the Appendix, record, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 26772** - The State, Petitioner, v. Hercules E. Mitchell. **CERTIORARI TO THE COURT OF APPEALS.** Orangeburg County - James C. Williams, Jr., Circuit Judge - **Heard January 20, 2010** - Filed February 16, 2010. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Donald J. Zelenka, Senior Assistant Attorney General S. Creighton Waters, all of Columbia, and Solicitor David Michael Pascoe, Jr., of Orangeburg, for Petitioner. Chief Appellate Defender Robert M. Dudek, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals decision in State v. Mitchell, 378 S.C. 305, 662 S.E.2d 493 (Ct. App. 2008). After a thorough review of the Appendix, record, and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, ACTING CHIEF JUSTICE, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Cv-Opinion No. 26781** - Angela Youmans as Personal Representative of the Estate of Deonte Elmore, Respondent, v. South Carolina Department of Transportation. **CERTIORARI TO THE COURT OF APPEALS** - Allendale County - John C. Few, Circuit Judge - **Heard February 4, 2010** - Filed March 1, 2010. Marshall H. Waldron, Jr., of Griffith, Sadler & Sharp, of Beaufort, for Petitioner. Mark B. Tinsley, of Gooding & Gooding, of Allendale, and Robert Norris Hill, of Newberry, for Respondent. **PER CURIAM:** This Court granted a petition for a writ of certiorari to review the decision of the court of appeals in Youmans v. South Carolina Department of Transportation, 380 S.C. 263, 670 S.E.2d 1 (Ct. App. 2008). **We dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 26842** - The State, Petitioner, v. James W. Bodenstedt, Jr. **CERTIORARI TO THE COURT OF APPEALS** - Pickens County - J. Michael Baxley, Circuit Judge - **Heard June 23, 2010** - Filed July 26, 2010. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General David Spencer, all of Columbia, and Solicitor Robert M. Ariail, of Greenville, for Petitioner. Senior Appellate Defender Joseph L. Savitz, III, of Commission on Indigent Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals decision in State v. Bodenstedt, 381 S.C. 545, 674 S.E.2d 174 (Ct. App. 2009). **On certiorari, we were presented with the question whether the Court of Appeals erred in reversing and remanding Respondent's sentence, which the trial court amended based on Respondent's disturbances in the courtroom.** After careful consideration, **we now dismiss certiorari as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 26937** - Maria A. Hollins, as Parent and Guardian ad Litem for Jane Doe, a minor under the age of fourteen years, Petitioner, v. Wal-Mart Stores, Inc. **CERTIORARI TO THE COURT OF APPEALS.** Richland County - J. Ernest Kinard, Jr., Circuit Judge - **Heard February 16, 2011** - Filed March 7, 2011. David E. Massey, Summer C. Tompkins, and Debra Sherman Tedeschi, all of Columbia, for Petitioner. Stephen G. Morrison, C. Mitchell Brown, and Susan M. Glenn, all of Nelson Mullins Riley & Scarborough, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals opinion in Hollins v. Wal-Mart, 381 S.C. 245, 672 S.E.2d 805 (Ct. App. 2008). **We now dismiss the writ as improvidently granted.** ACTING CHIEF JUSTICE PLEICONES, BEATTY, KITTREDGE, JJ., and Acting Justices James E. Moore and John H. Waller, Jr., concur.

**FC-Opinion No. 27046** - Karen Dallis Carpenter, Petitioner, v. James Edward Burr, Frank C. Gavay, Cynthia A. Gesualdi and Susan S. Fisher. **CERTIORARI TO THE COURT OF APPEALS.** Horry County - **Jocelyn B. Cate, Family Court Judge** - **Heard September 22, 2011** - Filed September 26, 2011. James L. Hills and Carolyn R. Hills, both of Hills & Hills, of Myrtle Beach, for Petitioner. Randall K. Mullins, of N. Myrtle Beach, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Carpenter v. Burr, 381 S.C. 494, 673 S.E.2d 818 (Ct. App. 2009). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27068** - The State, Petitioner, v. Charles Q. Jackson. **CERTIORARI TO THE COURT OF APPEALS.** Bamberg County - Doyet A. Early, III, Circuit Judge - **Heard November 2, 2011** - Filed November 21, 2011. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Mark R. Farthing, all of Columbia, and J. Strom Thurmond, Jr., of Aiken, for Petitioner. Chief Appellate Defender Robert M. Dudek, of South Carolina Commission on Indigent Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in State v. Jackson, 384 S.C. 29, 681 S.E.2d 17 (2009). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Cv-Opinion No. 27174** - Kenneth B. Jenkins, Respondent, v. Benjamin Scott Few and Few Farms, Inc. - Appellate Case No. 2011-188648 **CERTIORARI TO THE COURT OF APPEALS** - Greenville County D. Garrison Hill, Circuit Judge - **Heard September 20, 2012** - Filed October 3, 2012. Robert C. Childs, III, and J. Falkner Wilkes, both of Greenville, for Petitioners. Fred W. Suggs, III, of Roe Cassidy Coates and Price, of Greenville, for Respondent. **PER CURIAM:** We granted a writ of certiorari

to review the court of appeals' decision in *Jenkins v. Fetz*, 391 S.C. 209, 705 S.E.2d 457 (Ct. App. 2010). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27184** - The State, Respondent, v. Gene Tony Cooper. Appellate Case No. 2010-152786 **CERTIORARI TO THE COURT OF APPEALS** - Lexington County - Daniel F. Pieper, Circuit Judge - **Heard October 17, 2012** - Filed November 7, 2012. Chief Appellate Defender Robert Michael Dudek, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Donald J. Zelenka, Senior Assistant Attorney General W. Edgar Salter, III, all of Columbia; and Solicitor Donald V. Meyers, of Lexington, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the Court of Appeals in *State v. Cooper*, 386 S.C. 210, 687 S.E.2d 62 (Ct. App. 2009). **We now dismiss the writ as improvidently granted.** PLEICONES, ACTING CHIEF JUSTICE, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice E. C. Burnett, III, concur.

**Cv-Opinion No. 27198** - Too Tacky Partnership, Petitioner, v. South Carolina Department of Health and Environmental Control and Mayo Read, Jr. Appellate Case No. 2009-149126 - **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Roger M. Young, Circuit Judge - **Heard November 14, 2012** - Filed December 5, 2012. John P. Seibels, Jr. and Jason S. Luck, both of The Seibels Law Firm, P.A., of Charleston, for Petitioner. Bradley D. Churdar, of Charleston, and Jacquelyn S. Dickman, of Columbia, for Respondent SCDHEC. Richard L. Tapp, Jr. and Stephen P. Groves, Sr., both of Nexsen Pruet, LLC, of Charleston, for Respondent Mayo Read. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *Too Tacky Partnership v. South Carolina Department of Health and Environmental Control*, 386 S.C. 32, 686 S.E.2d 194 (Ct. App. 2009). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE, JJ., and Acting Justice James E. Moore, concur.

**FC-Opinion No. 27199** - In the Interest of Tracy B., A Minor Under the Age of Seventeen, Petitioner. Appellate Case No. 2011-186286 **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Paul W. Garfinkel, Family Court Judge - **Heard October 31, 2012** - Filed December 12, 2012. Robert M. Dudek, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia, and Solicitor Scarlett A. Wilson, of Charleston, for the State. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *In re Tracy B.*, 391 S.C. 51, 704 S.E.2d 71 (Ct. App. 2010). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27203** - State of South Carolina, Respondent, v. Timothy Wallace. Appellate Case No. 2011-192266 **CERTIORARI TO THE COURT OF APPEALS** - Oconee County - J.C. Nicholson, Jr., Circuit Judge- **Heard December 5, 2012** - Filed December 19, 2012. Kathrine Haggard Hudgins, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Senior Assistant Deputy Attorney General Deborah R.J. Shupe, all of Columbia; and Solicitor Christina T. Adams, of Anderson, for Respondent. **PER CURIAM:** We granted a petition for a writ of certiorari to review the decision of the Court of Appeals in *State v. Wallace*, 392 S.C. 47, 707 S.E.2d 451 (Ct. App. 2011). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**FC-Opinion No. 27213** - William James Biggins, Petitioner, v. Karen Lee Burdette, f/k/a Karen Burdette Biggins. Appellate Case No. 2011-192286 **CERTIORARI TO THE COURT OF APPEALS** - Kershaw County - James F. Fraley, Jr., Family Court Judge - **Heard January 23, 2013** - Filed January 30, 2013. Charles D. Lee, III, of McLaren & Lee, of Columbia, for Petitioner. Russell T. Burke and Victoria L. Eslinger, both of Nexsen Pruet, LLC, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *Biggins v. Burdette*, 392 S.C. 241, 708 S.E.2d 237 (Ct. App. 2011). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**MIE-Opinion No. 27216** - SunTrust Bank s/b/m National Bank of Commerce, including its Division, Central Carolina Bank, Respondent, v. Brandy K. Bryant, a/k/a Brandy K. McCarthy, Arnold L. Bryant, Phyllis W. Davis and Stephen Ford, as Spartanburg County Tax Collector, Defendants, of whom Phyllis W. Davis is the Petitioner. Appellate Case No. 2011-194366 - **CERTIORARI TO THE COURT OF APPEALS** - Spartanburg County - Gordon - G. Cooper, Master-in-Equity - **Heard February 6, 2013** - Filed February 13, 2013. Daniel R. Hughes and John B. Duggan, both of Duggan & Hughes, LLC, of Greer, for Petitioner. Dean A. Hayes, of Korn Law Firm, PA, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *SunTrust Bank v. Bryant*, 392 S.C. 264, 708 S.E.2d 821 (Ct. App. 2011). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27221** - The State, Respondent, v. Adams Gibson. Appellate Case No. 2010-180806 - **CERTIORARI TO THE COURT OF APPEALS** - Richland County - Steven H. John, Circuit Judge - **Heard January 10, 2013** - Filed February 13,

2013. Appellate Defender Robert Michael Dudek, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, Assistant Attorney General Alphonso Simon, Jr., and Solicitor Daniel Edward Johnson, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' direct appeal decision in State v. Gibson, 390 S.C. 347, 701 S.E.2d 766 (Ct. App. 2010). After careful consideration of the record, appendix, and briefs, **we dismiss certiorari as improvidently granted.** ACTING CHIEF JUSTICE PLEICONES, KITTREDGE, HEARN, JJ., and Acting Justices James E. Moore, and R. Markley Dennis, Jr., concur.

**Cv-Opinion No. 27321** - L. Paul Trask, Jr., Personally, and as Next of Kin and as the Duly Appointed Personal Representative of the Estate of L. Paul Trask, III, deceased, and Meredith C. Trask, Petitioners, v. Beaufort County, Curtis Copeland, in his Official Capacity as Coroner of Beaufort County and Individually, and Copeland Company of Beaufort, LLC, Defendants, of whom Curtis Copeland, Individually and Copeland Company of Beaufort, LLC, are Respondents. **Appellate Case No. 2011-194646 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Doyet A. Early, III, Circuit Judge - **Heard September 18, 2013** - Filed October 2, 2013. Stephen P. Groves, Sr., of Nexsen Pruet, LLC, of Charleston, and Thomas S. Tisdale, Jr., of Hellman & Yates, PA, of Charleston, for Petitioners. Andrew F. Lindemann, of Davidson & Lindemann, PA, of Columbia, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in Trask v. Beaufort County, 392 S.C. 560, 709 S.E.2d 536 (Ct. App. 2011). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 27326** - Team IA, Inc., Respondent, v. Cicero Lucas, George Lawson, IV and 5 Point Solutions, LLC, Defendants, of whom Cicero Lucas is, Petitioner. Cicero Lucas and George Lawson, IV, Third-Party Plaintiffs, v. Brent Yarborough and Team IA, Inc., Third-Party Defendants. **Appellate Case No. 2011-203166** - Lexington County - R. Knox McMahon, Circuit Judge - **Heard October 3, 2013** - Filed October 23, 2013. Terry E. Richardson, Jr., Daniel Scott Haltiwanger, and Christopher James Moore, all of Richardson Patrick Westbrook & Brickman, LLC, of Barnwell, for Petitioner. Robert Fredrick Goings, of Goings Law Firm, LLC of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**ALC-Opinion No. 27387** - York County and Nazareth Baptist Church of Rock Hill, Inc., Defendants, of whom York County is Petitioner, v. South Carolina Department of Health and Environmental Control and C & D Management Company, LLC. **Appellate Case No. 2012-212041 CERTIORARI TO THE COURT OF APPEALS** - Administrative Law Court - Carolyn C. Matthews - Administrative Law Judge - **Heard May 6, 2014** - Filed May 14, 2014. Amy Elizabeth Armstrong, of South Carolina Environmental Law Project, of Pawleys Island, for Petitioner. W. Thomas Lavender, Jr., Leon C. Harmon, and Joan W. Hartley, all of Nexsen Pruet, LLC, of Columbia, and Susan A. Lake, of Columbia, for Respondents. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in York County v. South Carolina Department of Health & Environmental Control, Op. No. 4940 (S.C. Ct. App. filed Feb. 8, 2012), which affirmed the administrative law court's final order upholding the South Carolina Department of Health and Environmental Control's issuance of a commercial construction, demolition waste and land-clearing debris landfill to C&D Management Company, LLC. **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Opinion No. 27461** - The State, Respondent, v. Christopher Heller. **Appellate Case No. 2012-212983 CERTIORARI TO THE COURT OF APPEALS** - Richland County - J. C. Nicholson, Jr., Circuit Judge - **Heard October 7, 2014** - Filed October 29, 2014. Chief Appellate Defender Robert M. Dudek, of Columbia, for Petitioner. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, Assistant Attorney General J. Anthony Mabry, and Solicitor Daniel E. Johnson, all of Columbia, for Respondent. **PER CURIAM:** We granted Christopher Heller's petition for a writ of certiorari to review the decision of the Court of Appeals in State v. Heller, 399 S.C. 157, 731 S.E.2d 312 (Ct. App. 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27470** - The State, Respondent, v. Demetrius Price. **Appellate Case No. 2012-213426 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Thomas W. Cooper, Jr., Circuit Judge - **Heard November 20, 2014** - Filed December 23, 2014. Appellate Defender Kathrine Haggard Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Assistant Attorney General Mark Reynolds Farthing, Chief Deputy Attorney General John W. McIntosh, and Senior Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in State v. Price, 400 S.C. 110, 732 S.E.2d 652 (Ct. App. 2012). After careful consideration of the briefs, record, and appendix, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, Acting Chief Justice, BEATTY, HEARN, JJ., Acting Justice James E. Moore and Acting Justice Paul M. Burch, concur.

**Opinion No. 27472** - The State, Petitioner, v. Diamon D. Fripp. **Appellate Case No. 2012-212201 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - J. Ernest Kinard, Jr., Circuit Judge - **Heard December 10, 2014** - Filed December 23, 2014. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh and

Senior Assistant Deputy Attorney General Salley W. Elliott, all of Columbia and Solicitor Isaac McDuffie Stone, III, of Beaufort, for Petitioner. Jared Sullivan Newman, of Jared S. Newman, P.A., of Port Royal, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in State v. Fripp, 397 S.C. 455, 725 S.E.2d 136 (Ct. App. 2012). **We now dismiss the writ of certiorari as improvidently granted** and further direct the Court of Appeals to **depublish** its opinion and assign the matter an unpublished opinion number. The above opinion shall no longer have any precedential effect. **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Cv-Opinion No. 27489** - Robert L. Cullen, Andrew A. Corriveau and Andrea Hucks, Petitioners, v. J. Bennett McNeal, B. McNeal Partnership, L.P., Anthony R. Porter and Wright's Point Home Owners Association. **Appellate Case No. 2011-196126 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Carmen T. Mullen, Circuit Judge - **Heard January 15, 2015** - Filed January 28, 2015. John E. North, Jr., of North & Black, PC, of Beaufort, for Petitioners. Joel D. Bailey, of The Bailey Law Firm, PA, of Beaufort, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Cullen v. McNeal, 390 S.C. 470, 702 S.E.2d 378 (Ct. App. 2010). **We now dismiss the writ as improvidently granted.** **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Cv-Opinion No. 27496** - Maria T. Curiel and Martin L. Curiel, Respondents, v. Hampton County E.M.S. **Appellate Case No. 2013-000391 CERTIORARI TO THE COURT OF APPEALS** - Hampton County - Perry M. Buckner, Circuit Judge - **Heard January 15, 2015** - Filed February 11, 2015. E. Mitchell Griffith and Mary E. Sharp, both of Griffith, Sadler & Sharp, P.A., of Beaufort, for Petitioner. John S. Nichols, of Bluestein, Nichols, Thompson & Delgado, LLC, of Columbia, and H. Woodrow Gooding and Mark B. Tinsley, both of Gooding & Gooding, P.A., of Allendale, for Respondents. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Curiel v. Hampton County E.M.S., 401 S.C. 646, 737 S.E.2d 854 (Ct. App. 2012). **We now dismiss the writ as improvidently granted.** **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Cv-Opinion No. 27508** - The Spriggs Group, P.C., Respondent, v. Gene R. Slivka. **Appellate Case No. 2013-000800 CERTIORARI TO THE COURT OF APPEALS** - Colleton County - William H. Seals, Jr., Circuit Judge - **Heard February 3, 2015** - Filed March 18, 2015. Robert T. Lyles, Jr., of Lyles & Lyles, L.L.C., of Charleston, for Petitioner. James Atkinson Bruorton, IV and Timothy James Wood Muller, of Rosen Rosen & Hagood, L.L.C., of Charleston, for Respondent. **PER CURIAM:** We granted the petition for a writ of certiorari to review the Court of Appeals' decision in The Spriggs Group, P.C. v. Slivka, 402 S.C. 42, 738 S.E.2d 495 (Ct. App. 2013). We first direct the Court of Appeals to **depublish** its opinion and assign the matter an unpublished opinion number. The above opinion shall no longer have any precedential effect. Next, we dismiss as improvidently granted the writ of certiorari. **Accordingly, we DEPUBLISH THE OPINION OF THE COURT OF APPEALS AND DISMISS CERTIORARI AS IMPROVIDENTLY GRANTED.** **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Opinion No. 27511** - The State, **Petitioner**, v. Richard Lewis. **Appellate Case No. 2013-001571 CERTIORARI TO THE COURT OF APPEALS** - Laurens County - Frank R. Addy, Jr., Circuit Judge - **Heard March 4, 2015** - Filed March 25, 2015. Attorney General Alan M. Wilson and Senior Assistant Deputy Attorney General Salley W. Elliott, both of Columbia, for Petitioner. C. Rauch Wise, of Greenwood, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in State v. Lewis, 403 S.C. 345, 743 S.E.2d 124 (Ct. App. 2013). **We now dismiss the writ as improvidently granted.** **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Opinion No. 27512** - The State, Respondent, v. Lexie Dial, III. **Appellate Case No. 2013-001970 CERTIORARI TO THE COURT OF APPEALS** - Lexington County - R. Knox McMahon, Circuit Judge - **Heard March 5, 2015** - Filed April 1, 2015. H. Wayne Floyd, of West Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General Christina Catoe Bigelow, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in State v. Dial, 405 S.C. 247, 746 S.E.2d 495 (Ct. App. 2013). **We now dismiss the writ as improvidently granted.** **PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.**

**Cv-Opinion No. 27513** - Loida Colonna, Petitioner, v. Marlboro Park Hospital, Employer, and Gallagher Bassett Services, Inc., Carrier. **Appellate Case No. 2013-001599 CERTIORARI TO THE COURT OF APPEALS** - Florence County - Michael G. Nettles, Circuit Judge - **Heard March 17, 2015** - Filed April 8, 2015. Stephen Benjamin Samuels, of Samuels Law Firm, LLC, of Columbia, for Petitioner. Weston Adams, III, of McAngus Goudelock & Courie, L.L.C., of Columbia, and Helen Faith Hiser, of McAngus Goudelock & Courie, L.L.C., of Mount Pleasant, both for Respondents. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Colonna v. Marlboro Park Hospital, 404 S.C. 537, 745 S.E.2d 128 (Ct. App. 2013). After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**MIE-Opinion No. 27527** - In re: Estate of Atn Burns Livingston, Emma Lou Livingston Martin as Personal Representative of the Estate of Atn Burns Livingston and Emma Lou Livingston Martin, Respondents, v. Clyde B. Livingston, Miller Communications, Inc., Citibank South Dakota, N.A., Branch Banking and Trust Company of South Carolina, and

American First Federal, Inc., Defendants, of whom Clyde B. Livingston is, Petitioner. **Appellate Case No. 2013-001505 CERTIORARI TO THE COURT OF APPEALS** - Orangeburg County Olin Davie Burgdorf, Master-in-Equity - **Heard May 5, 2015** - Filed June 10, 2015. Andrew Sims Radeker, of Harrison & Radeker, P.A., of Columbia, for Petitioner. Richard B. Ness and Alison Dennis Hood, of Ness & Jett, LLC, of Bamberg, for Respondents. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in *Estate of Livingston v. Livingston*, 404 S.C. 137, 744 S.E.2d 203 (Ct. App. 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Opinion No. 27539** - **The State, Respondent**, v. Darren Scott. **Appellate Case No. 2013-002247 CERTIORARI TO THE COURT OF APPEALS** - Greenville County - G. Edward Welmaker, Circuit Judge - **Heard April 22, 2015** - Filed July 1, 2015. Chief Appellate Defender Robert Michael Dudek and Appellate Defender David Alexander, both of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Mark R. Farthing, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in *State v. Scott*, 405 S.C. 489, 748 S.E.2d 236 (Ct. App. 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., BEATTY, KITTREDGE and HEARN, JJ., concur. **PLEICONES, J., concurring in result only.**

**Cv-Opinion No. 27540** - Tynaysha Horton, Petitioner, v. City of Columbia. **Appellate Case No. 2014-001070 CERTIORARI TO THE COURT OF APPEALS** - Richland County - Alison Renee Lee, Circuit Judge - **Heard June 17, 2015** - Filed July 1, 2015. John S. Nichols and Blake Alexander Hewitt, both of Bluestein Nichols Thompson & Delgado, LLC, James E. Smith, Jr. and Dylan W. Goff, both of James E. Smith, Jr., P.A., all of Columbia, for Petitioner. Dana M. Thye, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in *Horton v. City of Columbia*, 408 S.C. 27, 757 S.E.2d 537 (2014). **We now dismiss the writ of certiorari as improvidently granted** and further direct the court of appeals to **depublish** its opinion and assign the matter an unpublished opinion number. The above opinion shall no longer have any precedential effect. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 27542** - Hazel Jeisel Rivera, Respondent, v. Warren Jared Newton, Newton's Farm, J&J Logging, Inc., and Edgar Rivera. **Appellate Case No. 2013-000674 CERTIORARI TO THE COURT OF APPEALS** - Georgetown County - Benjamin H. Culbertson, Circuit Judge - **Heard April 7, 2015** - Filed July 1, 2015. Brandon A. Smith, of King, Love & Smith, LLC, of Greenwood, and John Dwight Hudson, of Hudson Law Offices, of Myrtle Beach, for Petitioners. Lawrence Sidney Connor, IV, of Kelaher Connell & Connor, PC, of Surfside Beach, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in *Rivera v. Newton*, 401 S.C. 402, 737 S.E.2d 193 (Ct. App. 2012). **We now dismiss the writ of certiorari as improvidently granted** and further direct the court of appeals to **depublish** its opinion and assign the matter an unpublished opinion number. The above opinion shall no longer have any precedential effect. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 27577** - Magnolia North Property Owners' Association, Inc., Respondent, v. Heritage Communities, Inc., Heritage Magnolia North, Inc., and Buildstar Corporation. **Appellate Case No. 2012-212048 CERTIORARI TO THE COURT OF APPEALS** - Horry County - Clifton Newman, Circuit Judge - **Heard February 19, 2015** - Filed September 30, 2015. C. Mitchell Brown, William C. Wood, Jr., and Brian P. Crotty, all of Nelson Mullins Riley & Scarborough, LLP, of Columbia; and William L. Howard, Stephen L. Brown, and Jeffrey J. Wiseman, all of Young Clement Rivers, LLP, of Charleston, for Petitioners. John P. Henry and Philip C. Thompson, both of Thompson & Henry, PA, of Conway, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *Magnolia North Property Owners' Ass'n v. Heritage Communities, Inc.*, 397 S.C. 348, 725 S.E.2d 112 (Ct. App. 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 27578** - Tony L. Pope and Lynn S. Pope, Individually and Representing as a Class All Unit Owners for Riverwalk At Arrowhead Country Club Horizontal Property Regime, Respondents, v. Heritage Communities, Inc., Heritage Riverwalk, Inc., and Buildstar Corporation, Petitioners. Riverwalk At Arrowhead Country Club Property Owners' Association, Inc., Respondent, v. Heritage Communities, Inc., Heritage Riverwalk, Inc., and Buildstar Corporation, Petitioners. **Appellate Case No. 2012-206066 CERTIORARI TO THE COURT OF APPEALS** - Horry County - Clifton Newman, Circuit Judge - **Heard February 19, 2015** - Filed September 30, 2015. C. Mitchell Brown, William C. Wood, Jr., and Brian P. Crotty, all of Nelson Mullins Riley & Scarborough, LLP, of Columbia; and William L. Howard, Stephen L. Brown, and Russell G. Hines, all of Young Clement Rivers, LLP, of Charleston, for Petitioners. John P. Henry and Philip C. Thompson, both of Thompson & Henry, PA, of Conway, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *Pope v. Heritage Communities, Inc.*, 395 S.C. 404, 717 S.E.2d 765 (Ct. App. 2011). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27581** - **Israel Wilds, Respondent**, v. **State of South Carolina**. **Appellate Case No. 2014-001191 CERTIORARI TO THE COURT OF APPEALS** - Richland County - J. Michelle Childs, **Post-Conviction Judge** - **Heard October 7, 2015** - Filed October 14, 2015. Attorney General Alan Wilson and Senior Assistant Attorney General David Spencer, both of Columbia, for Petitioner. Tara Dawn Shurling, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari

to review the court of appeals' decision in Wilds v. State, 407 S.C. 432, 756 S.E.2d 387 (Ct. App. 2014). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**FC-Opinion No. 27584** - H. Eugene Hudson, Respondent, v. Mary Lee Hudson. Appellate Case No. 2014-001347 CERTIORARI TO THE COURT OF APPEALS - Horry County - Timothy H. Pogue, Family Court Judge - **Heard September 22, 2015** - Filed October 28, 2015. Carolyn R. Hills, of Hills & Hills, PC, and Nicole Nicolette Mace, of The Mace Law Firm, both of Myrtle Beach, for Petitioner. Charles D. Lee, III, of McLaren & Lee, of Columbia and E. Windell McCrackin, of McCrackin Barnett & Richardson, L.L.P., of Myrtle Beach, both for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in Hudson v. Hudson, 408 S.C. 76, 757 S.E.2d 727 (Ct. App. 2014). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, KITTREDGE and HEARN, JJ., concur. BEATTY, J., concurring in result only.

**WCC-Opinion No. 27588** - Patricia Fore, Employee, Petitioner, v. Griffco of Wampee, Inc., Employer, and Chartis Claims, Inc., Carrier. Appellate Case No. 2014-002039 CERTIORARI TO THE COURT OF APPEALS - Workers' Compensation Commission - **Heard October 20, 2015** - Filed November 12, 2015. Stephen B. Samuels, of Samuels Law Firm, LLC, and Peter P. Leventis, IV, of McKay Cauthen Settana & Stubley, PA, both of Columbia, for Petitioner. James H. Lichty, of Columbia, and Helen F. Hiser, of Mt. Pleasant, both of McAngus Goudelock & Courie, LLC, for Respondents. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in Fore v. Griffco of Wampee, Inc., 409 S.C. 360, 762 S.E.2d 37 (Ct. App. 2014). **We now dismiss the writ of certiorari as improvidently granted.** [1] TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur. (1. Accordingly, pursuant to the court of appeals' opinion, this matter is remanded to the Workers' Compensation Commission for a redetermination of Patricia Fore's benefits with express direction to consider Tony Owens' testimony and for Garry Smith's letter to be removed from Fore's public file.)

**WCC-P-Opinion No. 27590** - Neal Beckman, Employee, Respondent, v. Sysco Columbia, LLC, Employer, and Gallagher Bassett Services, Inc., Carrier. Appellate Case No. 2014-001691 CERTIORARI TO THE COURT OF APPEALS - Panel South Carolina Workers' Compensation Commission - **Heard November 3, 2015** - Filed November 18, 2015. Kathryn Fiehrer Walton, of Wood Law Group, L.L.C., of Charleston, for Petitioners. Frederick W. Riesen, Jr., of Riesen Law Firm, L.L.P., of N. Charleston, and Stephen Benjamin Samuels, of Samuels Law Firm, L.L.C., of Columbia, both for Respondent. **PER CURIAM:** We granted the petition for a writ of certiorari to review the Court of Appeals' decision in Beckman v. Sysco Columbia, L.L.C., 408 S.C. 501, 759 S.E.2d 750 (Ct. App. 2014). We first direct the Court of Appeals to **depublish its opinion and assign the matter an unpublished opinion number**. The above opinion shall no longer have any precedential effect. Next, **we dismiss as improvidently granted the writ of certiorari.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 27591** - The State, Respondent, v. Jason Alan Johnson. Appellate Case No. 2014-002097 CERTIORARI TO THE COURT OF APPEALS - York County - Lee S. Alford, Circuit Judge - **Heard October 20, 2015** - Filed November 18, 2015. Appellate Defender David Alexander, of Columbia, for Petitioner. Attorney General Alan Wilson and Assistant Attorney General William M. Blicht, Jr., both of Columbia, and Solicitor Kevin S. Brackett, of York, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in State v. Johnson, 410 S.C. 10, 763 S.E.2d 36 (Ct. App. 2014). **We now dismiss the writ as improvidently granted.** TOAL, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Opinion No. 27595** - The State, Respondent, v. Alton Wesley Gore, Jr. Appellate Case No. 2014-001496 CERTIORARI TO THE COURT OF APPEALS - Horry County - Edward B. Cottingham, Special Circuit Judge - **Heard October 21, 2015** - Filed December 2, 2015. Nicole Nicolette Mace and Amy Kristan Raffaldt, both of The Mace Law Firm, of Myrtle Beach, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Christina Catoe Bigelow, both of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 27597** - Demetrius Mack, Respondent, v. Leon Lott, in his Official Capacity as Sheriff of Richland County. Appellate Case No. 2014-002229 CERTIORARI TO THE COURT OF APPEALS - Richland County - DeAndrea G. Benjamin, Circuit Judge - **Heard November 17, 2015** - Filed December 9, 2015. Robert D. Garfield and Andrew F. Lindemann, both of Davidson & Lindemann, P.A., of Columbia, for Petitioner. Joshua Snow Kendrick and Christopher S. Leonard, both of Kendrick & Leonard, P.C., of Columbia, and Neal Michael Lourie, of Lourie Law Firm, L.L.C., of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in Mack v. Lott, 410 S.C. 28, 762 S.E.2d 719 (Ct. App. 2014). We now dismiss the writ as improvidently granted since both parties and the trial court agree that the proper standard for determining probable cause is an objective standard; that is, whether the facts known to the arresting officer at the time of the arrest, viewed from the standpoint of an objectively reasonable police officer, amount to probable cause. Because the Court of Appeals' language on this issue is arguably unclear, for the benefit of the bench and bar, we direct the Court of Appeals to **depublish** its opinion. **Accordingly, we DEPUBLISH THE OPINION OF THE COURT OF APPEALS AND DISMISS CERTIORARI AS IMPROVIDENTLY GRANTED.** PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**ALC-Opinion No. 27601** - Richard Stogsdill, Petitioner, v. South Carolina Department of Health and Human Services. **Appellate Case No. 2014-002513 CERTIORARI TO THE COURT OF APPEALS - Administrative Law Court** - Carolyn C. Matthews, Administrative Law Judge - **Heard November 17, 2015** - Filed January 20, 2016. Patricia Logan Harrison, of Columbia, for Petitioner. Richard G. Hepfer, of Columbia, for Respondent. Anna Maria Darwin and Sarah Garland St. Onge, both of Columbia, for *Amicus Curiae* Protection and Advocacy for People with Disabilities, Inc.; Andrew J. Atkins, of Columbia, for *Amicus Curiae* South Carolina Chapter of the National Academy of Elder Law Attorneys; and Stephen Suggs, of Columbia, for *Amicus Curiae* South Carolina Appleseed Legal Justice Center. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *Stogsdill v. South Carolina Department of Health and Human Services*, 410 S.C. 273, 763 S.E.2d 638 (Ct. App. 2014). **We now dismiss the writ as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Cv-Opinion No. 27608** - Fayrell Furr and Karole Jensen, Petitioners, v. Horry County Zoning Board of Appeals. **Appellate Case No. 2015-000271 CERTIORARI TO THE COURT OF APPEALS** - Horry County - J. Michael Baxley, Circuit Judge - **Heard December 2, 2015** - Filed March 2, 2016. Gene McCain Connell, Jr., of Kelaher Connell & Connor, P.C., of Surfside Beach, for Petitioners. Leah Montgomery Cromer and Emma Ruth Brittain, both of Thomas & Brittain, P.A., of Myrtle Beach, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in *Furr v. Horry Cnty. Zoning Bd. of Appeals*, 411 S.C. 178, 767 S.E.2d 221 (Ct. App. 2014). **We now dismiss the writ of certiorari as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice Jean H. Toal, concur.

**Opinion No. 27647** - **The State, Petitioner**, v. Graham Franklin Douglas. **Appellate Case No. 2015-000606 CERTIORARI TO THE COURT OF APPEALS** - Chesterfield County - J. Michael Baxley, Circuit Judge - **Heard March 2, 2016**. Filed July 13, 2016. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Donald J. Zelenka, and Assistant Attorney General Alphonso Simon, Jr., of Columbia; and Ernest A. Finney, III, of Sumter, for Petitioner. S. Jahue Moore, of Moore, Taylor Law Firm, P.A. of West Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in *State v. Douglas*, 411 S.C. 307, 768 S.E.2d 232 (2014). **We now dismiss the writ as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.

**Cv-Opinion No. 27652** - Jane Roe, as parent and natural guardian of Judy Roe, James Roe, and Joyce Roe, Minor Children Under the Age of Eighteen, (18), Petitioners, v. Daniel Bibby Sr. and Michelle Bibby, Defendants, of whom Michelle Bibby is the Respondent. - Berkeley County - R. Markley Dennis, Jr., Circuit Judge - **Appellate Case No. 2014-002500 CERTIORARI TO THE COURT OF APPEALS** - **Heard November 5, 2015** - Filed August 10, 2016. Eric M. Poulin, of Anastopoulos Law Firm, LLC, of Charleston, for Petitioners. Eugene P. Corrigan, III and J.W. Nelson Chandler, both of Corrigan & Chandler, LLC, of Charleston, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in *Roe v. Bibby*, 410 S.C. 287, 763 S.E.2d 645 (Ct. App. 2014). **We now dismiss the writ as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice Jean H. Toal, concur.

**Opinion No. 27676** - **Norman J. Hayes, Respondent**, v. **State of South Carolina**. **Appellate Case No. 2015-002294 CERTIORARI TO THE COURT OF APPEALS** - Lexington County - Edward W. Miller, **Post-Conviction Judge** - **Heard October 20, 2016** - Filed November 9, 2016. Attorney General Alan McCrory Wilson and Assistant Attorney General Patrick Lowell Schmeckpeper, both of Columbia, for Petitioner. Appellate Defender Laura Ruth Baer, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals decision in *Hayes v. State*, 413 S.C. 553, 777 S.E.2d 6 (Ct. App. 2015). After careful consideration of the appendices and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.

**Opinion No. 27752** - **The State, Respondent**, v. Gerald Barrett, Jr. **Appellate Case No. 2016-001306 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Kristi Lea Harrington, Circuit Judge - **Heard November 15, 2017** - Filed November 22, 2017. Appellant Defender David Alexander, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General William M. Blich, Jr., both of Columbia, and Solicitor Isaac McDuffie Stone, III, of Bluffton, all for Respondent. **PER CURIAM:** We granted Gerald Barrett's petition for a writ of certiorari to review the court of appeals' decision in *State v. Barrett*, 416 S.C. 124, 785 S.E.2d 387 (Ct. App. 2016). **We now dismiss the writ as improvidently granted.** HEARN, Acting Chief Justice, FEW and JAMES, JJ., and Acting Justices Arthur Eugene Morehead, III, and Jan B. Bromell Holmes, concur.

**Cv-Opinion No. 27795** - Protection and Advocacy for People with Disabilities, Inc., Petitioner, v. Beverly A. H. Buscemi, Ph.D., in her official capacity as State Director, South Carolina Department of Disabilities and Special Needs and The South Carolina Department of Disabilities and Special Needs, and Kelly Hanson Floyd, Nancy Banov, W. Robert Harrell, Rick Huntress, Deborah McPherson and Dr. Otis Speight in their Official Capacities as Members of the Department of Disabilities and Special Needs Commission. **Appellate Case No. 2016-001983 CERTIORARI TO THE COURT OF APPEALS** - Richland County - Edgar W. Dickson, Circuit Judge - **Heard May 1, 2018** - Filed May 9, 2018. Anna Maria Darwin, of Greenville, and Thornwell Simons, of Columbia, both of Protection & Advocacy for People with Disabilities, Inc.; Reid T. Sherard, of Greenville, and Phillips Lancaster McWilliams, of Columbia,

both of Nelson Mullins Riley & Scarborough, LLP, for Petitioner. William H. Davidson, II and Kenneth P. Woodington, both of Davidson & Lindemann, PA, of Columbia, for Respondents. **PER CURIAM:** We granted Protection and Advocacy for People with Disabilities, Inc.'s petition for a writ of certiorari to review the decision of the Court of Appeals in Protection and Advocacy for People with Disabilities, Inc. v. Buscemi, 417 S.C. 267, 789 S.E.2d 756 (Ct. App. 2016). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Cv-Opinion No. 27799** - Coastal Federal Credit Union, Respondent, v. Angel Latoria Brown. **Appellate Case No. 2016-002124 CERTIORARI TO THE COURT OF APPEALS** - Charleston County R. Markley Dennis, Jr., Circuit Judge - **Heard April 19, 2018** - Filed May 16, 2018. Matthew M. Billingsley and J. Edwin McDonnell, both of South Carolina Legal Services, of North Charleston, for Petitioner. David P. Nanney, Jr., and Sarah Dalonzo-Baker, both of Kirschbaum Nanney Keenan & Griffin, PA, of Raleigh, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in Coastal Federal Credit Union v. Brown, 417 S.C. 544, 790 S.E.2d 417 (Ct. App. 2016). After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Opinion No. 27809** - The State, Respondent, v. Joshua William Porch. **Appellate Case No. 2016-002146 CERTIORARI TO THE COURT OF APPEALS** - Richland County - Alison Renee Lee, Trial Judge - **Heard May 23, 2018** - Filed May 30, 2018. Matthew A. Abee, William C. Wood Jr., Michael J. Anzelmo, and Caroline Delores Gimenez, all of Nelson Mullins Riley & Scarborough, LLP, and Chief Appellate Defender Robert Michael Dudek, all of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Deputy Attorney General Donald J. Zelenka, Senior Assistant Deputy Attorney General Melody Jane Brown, Senior Assistant Attorney General J. Anthony Mabry, Senior Assistant Attorney W. Edgar Salter III, and Solicitor Daniel Edward Johnson, all of Columbia, for Respondent. **PER CURIAM:** We granted Joshua William Porch's petition for a writ of certiorari to review the court of appeals' decision to affirm his murder conviction. See State v. Porch, 417 S.C. 619, 790 S.E.2d 440 (Ct. App. 2016). **We now dismiss the writ as improvidently granted.** KITTREDGE, Acting Chief Justice, HEARN, FEW, JAMES, JJ., and Acting Justice James E. Lockemy, concur.

**WCC-Opinion No. 27848** - William Lee Turner, Employee, Petitioner, v. SAIHA Construction, Employer, and Old Republic General Insurance Corporation c/o Gallagher Bassett Services, Inc., Carrier. **Appellate Case No. 2017-000699 CERTIORARI TO THE COURT OF APPEALS** - Workers' Compensation Commission - **Heard May 2, 2018** - Filed November 21, 2018. Preston F. McDaniel, of McDaniel Law Firm, of Columbia, for Petitioner. Jason W. Lockhart, of Columbia, and Helen F. Hiser, of Mount Pleasant, both of McAngus Goudelock & Courie, LLC, for Respondents. **PER CURIAM:** We issued a writ of certiorari to review the decision of the Court of Appeals in Turner v. SAIHA Construction, 419 S.C. 98, 796 S.E.2d 150 (Ct. App. 2016). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW, JJ. and Acting Justice Thomas E. Huff, concur.

**Cv-Opinion No. 27849** - Arkay, LLC and Robert R. Knoth, its member, Petitioners, v. City of Charleston, City of Charleston Board of Zoning Appeals, Andrew Pinckney Inn, and Michael A. Molony. **Appellate Case No. 2016-002360 CERTIORARI TO THE COURT OF APPEALS** - Charleston County - J. C. Nicholson Jr., Circuit Judge - **Heard November 7, 2018** - Filed November 21, 2018. Capers G. Barr III, of Barr Unger & McIntosh, LLC, of Charleston, for Petitioners. Frances Isaac Cantwell and Daniel Simmons McQueeney Jr., both of Charleston; and Wilbur E. Johnson, of Young Clement Rivers, LLP, of Charleston; and Thomas S. Tisdale Jr., of Hellman, Yates & Tisdale, PA, of Charleston, all for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in Arkay, LLC v. City of Charleston, 418 S.C. 86, 791 S.E.2d 305 (Ct. App. 2016). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Cv-Opinion No. 27853** - First Citizens Bank and Trust Company, Inc., Respondent, v. Park at Durbin Creek, LLC; Kenneth E. Clifton; and Linda G. Whiteman; Defendants, Park at Durbin Creek, LLC and Kenneth E. Clifton, Petitioners. **Appellate Case No. 2017-000979 CERTIORARI TO THE COURT OF APPEALS** - Laurens County - Eugene C. Griffith, Jr., Circuit Judge - **Heard November 28, 2018** - Filed December 5, 2018. James Calhoun Pruitt, Jr. and Joshua Brent Raffini, both of Pruitt & Pruitt, of Anderson, for Petitioners. James H. Cassidy, Ella S. Barbery, and Joseph O. Smith, all of Roe Cassidy Coates & Price, PA, of Greenville, for Respondent. **PER CURIAM:** We granted petitioners' joint petition for a writ of certiorari to review the decision of the Court of Appeals in First Citizens Bank and Trust Company v. Park at Durbin Creek, LLC, 419 S.C. 333, 797 S.E.2d 409 (Ct. App. 2017). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

### **DIGs after oral argument in SC S Ct – Memorandum OPINIONS = 93.**

**Cv-Memorandum Opinion No. 2004-MO-009** - Debra Henfield, Respondent, v. John Taylor and Adlerian Enterprises d/b/a Parkside Mobile Homes, of whom Adlerian Enterprises d/b/a Parkside Mobile Homes is Petitioner. **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Roger M. Young, Circuit Judge - **Heard March 3, 2004** -

Filed March 22, 2004. Stephen L. Brown and Randell C. Stoney, Jr., of Young, Clement, Rivers & Tisdale, L.L.P., Charleston, for Petitioner. A. Christopher Potts of Hitchcock & Potts, Charleston, and Lee D. Cope of Speights & Runyan, Hampton, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision in *Henfield v. Taylor*, Op. No. 2003-UP-290 (S.C. Ct. App. filed March 12, 2003). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice Alison Renee Lee, concur.

**Cv-Memorandum Opinion No. 2004-MO-010** – Mary B. Brown, Petitioner, v. George D. Zamias, d/b/a Rock Hill Galleria, Respondent. **CERTIORARI TO THE COURT OF APPEALS** – York County – Paul E. Short, Jr., Circuit Judge – **Heard February 18, 2004** – Filed April 5, 2004. Thomas E. Elliott, Jr., of the Elliott Law Firm, of Columbia, for Petitioners. Kenneth Ray Raynor, of Templeton & Raynor, PA, of Charlotte, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in *Brown v. Zamias*, 2002-UP-715 (S.C. Ct. App. filed Nov. 15, 2002). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice J. Cordell Maddox, Jr., concur.

**Cv-Memorandum Opinion No. 2004-MO-026** – Carolina Travel Consultants, Inc. and Ray V. Damani, d/b/a Carolina Travel Consultants, Petitioners, v. Milliken & Company – **CERTIORARI TO THE COURT OF APPEALS** – Spartanburg County – Wyatt T. Saunders, Jr., Circuit Judge – **Heard May 12, 2004** – Filed June 1, 2004. Michael B.T. Wilkes and D. Alan Lazenby, both of Michael Wilkes Law Firm, P.A., of Spartanburg, Edward R. Cole, of The Ward Law Firm, P.A., of Spartanburg, for Petitioners. Henry L. Parr, Jr. and Troy A. Tessier, both of Wyche, Burgess, Freeman & Parham, P.A., of Greenville, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in *Carolina Travel Consultants, Inc. v. Milliken & Co.*, Op. No. 2003-UP-125 (Ct. App. filed February 18, 2003). **After careful consideration, we dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**FC-Memorandum Opinion No. 2004-MO-030** – South Carolina Department of Social Services, Respondent, v. Russell A. Miller – **CERTIORARI TO THE COURT OF APPEALS** – Sumter County – Marion D. Myers, Family Court Judge – **Heard May 12, 2004** – Filed June 14, 2004 – Jay Bender and Holly Palmer Beeson, of Baker, Ravenel & Bender, L.L.P., of Columbia, for petitioner. W. Carole Holloway, of Florence, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' unpublished decision in this case. **After careful consideration, we dismiss the writ as improvidently granted.** s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E. C. Burnett, III J. s/Costa M. Pleicones J.

**Memorandum Opinion No. 2004-MO-036** – Edward Lee Elmore, Petitioner, v. Parker Evatt, Director, Department of Corrections, Respondent. Greenwood County – J. Ernest Kinard, Jr., Circuit Judge – **Heard May 27, 2004** – Filed July 12, 2004. Barry C. Scheck and Christopher Jensen, both of New York, John H. Blume, III, S.C. Office of Appellate Defense, and Diana L. Holt, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh and Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia, for Respondents. **JUSTICE WALLER:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). *After thoroughly reviewing the appendix in this case, we find there is probative evidence supporting the findings of the PCR judge. Accordingly, we dismiss the writ as improvidently granted.* PLEICONES., and Acting Justices James C. Williams, Jr., L. Casey Manning and Clifton B. Newman, concur.

**Memorandum Opinion No. 2005-MO-003** – The State, Respondent v. Hoyt Morris. **CERTIORARI TO THE COURT OF APPEALS** – York County – John C. Hayes, III, Circuit Court Judge – **Heard January 5, 2005** – Filed January 24, 2005. Acting Chief Attorney Joseph L. Savitz, III, of the Office of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Attorney General Norman Mark Rapoport, all of Columbia, and Solicitor Thomas E. Pope, of York, for Respondent. **PER CURIAM:** We granted certiorari to consider the decision of the court of appeals in *State v. Hoyt Morris*, Op. No. 2003-UP-144 (S.C. Ct. App. Filed January 19, 2003). After review of the appendix and briefs, we find that post-conviction relief is petitioner's proper avenue to pursue relief, if any, **and therefore dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Memorandum Opinion No. 2005-MO-005** – Betty Tripp, Petitioner, v. Patricia Price, David G. Price, Jeff Harris d/b/a Harris Auto Reconditioning, Fairway Ford, Inc., and Binh Nguyen, Defendants, of whom Jeff Harris d/b/a Harris Auto Reconditioning is Respondent. **CERTIORARI TO THE COURT OF APPEALS** – Greenville County – John W. Kittredge, Circuit Judge – **Heard January 5, 2005** – Filed January 24, 2005. Robert Daniel Dodson, of Law Offices of Robert Dodson, P.A., of Columbia, for petitioner. Christopher M. Kelly, of Gallivan, White & Boyd, P.A., of Greenville, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the Court of Appeals' decision in *Tripp v. Price*, Op. No. 2003-UP-336 (S.C. Ct. App. filed May 15, 2003). **After careful consideration, we now dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Memorandum Opinion No. 2005-MO-022** - The State, Respondent, v. Brentley Allen Blalock - **CERTIORARI TO THE COURT OF APPEALS** - Spartanburg County - Donald W. Beatty, Circuit Judge - **Heard May 5, 2005** - Filed May 31, 2005. Jack B. Swerling, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Senior Assistant Attorney General Norman Mark Rapoport, all of Columbia, and Harold W. Gowdy, III, of Spartanburg, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review State v. Blalock, 357 S.C. 74, 591 S.E.2d 632 (Ct. App. 2003). After careful review of the appendix and briefs, we dismiss the writ of certiorari as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Memorandum Opinion No. 2005-MO-023** - Svetlik Construction Co., Inc., Plaintiff, v. Karen Zimmerman, Petitioner, v. Michael Svetlik, Sumter National Bank, County of Sumter and City of Sumter, Third Party Defendants, of whom County of Sumter and City of Sumter are Respondents. **CERTIORARI TO THE COURT OF APPEALS** - Sumter County - Howard P. King, Circuit Judge - **Heard May 18, 2005** - Filed June 6, 2005. Melvin L. Roberts, of York, for Petitioner. Harold C. Wilson, John E. James, III, and David C. Holler, all of Lee, Erter, Wilson, James, Holler & Smith, L.L.C., of Sumter, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the decision in Svetlik Constr. Co. v. Zimmerman, Op. No. 2003-UP-735 (S.C. Ct. App. filed December 16, 2003). We dismiss the writ as improvidently granted. MOORE, A.C.J., WALLER, BURNETT, PLEICONES, JJ., and Acting Justice James W. Johnson, Jr., concur.

**Cv-Memorandum Opinion No. 2005-MO-030** - Beaufort County, South Carolina, and John H. Webber, Petitioners v. The Town of Port Royal, South Carolina, Rose Island Properties, Inc. and George Stephanis, Respondents. **CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - A. Victor Rawl, Circuit Court Judge - **Heard June 1, 2005** - Filed June 20, 2005. Jack M. Scoville, Jr., of Georgetown, for Petitioners. William B. Regan and Francis I. Cantwell, both of Regan & Cantwell, of Charleston, and David L. Tedder, of Beaufort, for Respondents. **PER CURIAM:** After full review of the Appendix and briefs, we dismiss the writ of certiorari as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Memorandum Opinion No. 2006-MO-007** - Samuel D. Page, Petitioner, v. Willard G. Page, S. M. Page, Betsy Page Gilliam f/k/a Betsy Page Flinn, Carolyn Page Eaton, and Conway National Bank. **CERTIORARI TO THE COURT OF APPEALS** - Horry County - J. Stanton Cross, Jr., Circuit Judge - **Heard January 31, 2006** - Filed February 21, 2006. Janice Ann Cannan, of Myrtle Beach, and Richard Neal Weldon, of Conway, for Petitioner. Betsy Page Gilliam, of North Charleston, Carolyn Page Eaton, of Aynor, James Thomas Young, of Singleton, Burroughs & Young, PA, of Conway, Mr. Willard G. Page, of Galivants Ferry, and S. M. Page, of Darlington, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in Page v. Page, Op. No. 2004-UP-110 (S.C. Ct. App. filed February 24, 2004). We now dismiss the writ as improvidently granted. TOAL, C.J., MOORE, BURNETT, PLEICONES, JJ., and Acting Justice Howard P. King, concur.

**Cv-Memorandum Opinion No. 2006-MO-021** - Perry H. Burrows, Employee, Claimant, Respondent, v. Estate of Laverne Poston, by its Personal Representative, Robert Wayne Poston, d/b/a Poston's Auto Service, Employer, and S.C. Uninsured Employers Fund, Defendants, of which S.C. Uninsured Employers Fund is Petitioner. Florence County - J. Michael Baxley, Circuit Judge - **Heard April 18, 2006** - Filed May 8, 2006. Latonya Dilligard Edwards, of Columbia, and Robert Merrel Cook, II, of Batesburg-Leesville, for Petitioner. J. Kevin Holmes and Steven E. Goldberg, of The Steinberg Law Firm, of Charleston, for Respondent. **PER CURIAM:** After careful review of the Appendix and briefs, we Dismiss Certiorari as Improvidently Granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Memorandum Opinion No. 2006-MO-041** - The State, Respondent, v. Celeste Durant **CERTIORARI TO THE COURT OF APPEALS** - Horry County - Paula H. Thomas, Circuit Judge - **Heard November 2, 2006** - Filed December 11, 2006. Appellate Defender Robert M. Dudek, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Shawn L. Reeves, all of Columbia, and Solicitor John Gregory Hembree, of Conway, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals decision in State v. Durant, Op. No. 2004-UP-422 (S.C. Ct. App. filed June 30, 2004). We dismiss the writ as improvidently granted. MOORE, A.C.J., WALLER, BURNETT, PLEICONES, JJ., and Acting Justice Deadra L. Jefferson, concur.

**FC-Memorandum Opinion No. 2007-MO-029** - Suzannah Force Long, Respondent, v. James Neel Long **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - Aphrodite K. Konduros, Family Court Judge - **Heard April 17, 2007** - Filed May 14, 2007. Joseph M. Ramseur, Jr., and Reid T. Sherard, both of Nelson Mullins Riley & Scarborough, of Greenville, for Petitioner. Robert M. Rosenfeld, of Porter & Rosenfeld, of Greenville, for Respondent. **PER CURIAM:** This Court granted certiorari to review the court of appeals' decision in Long v. Long, Op. No. 2005-UP-165 (S.C. Ct. App. filed Mar. 7, 2005). We dismiss the writ as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Memorandum Opinion No. 2007-MO-038** - Ex Parte: A-1 Bail Bonding Company (Surety), Petitioner, In Re: State of South Carolina, Respondent, v. Fredrick Larue, Defendant. **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - Edward W. Miller, Circuit Court Judge - **Heard May 23, 2007** - Filed June 18, 2007. Andrew F. Litvin, of Columbia, for Petitioner. Solicitor Robert M. Arial and Assistant Solicitor G. Dennis Sims, both of Greenville, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in Ex parte A-1

Bail Bonding Co., Op. No. 2005-UP-604 (S.C. Ct. App. filed Dec. 1, 2005). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, BURNETT, PLEICONES, JJ., and Acting Justice Michael G. Nettles, concur.

**FC-Memorandum Opinion No. 2007-MO-043** - SCDSS, Petitioner, v. Wanda McKinley, Jeffrey McKinley, and Robert Chappell (deceased), Defendants, of whom Wanda McKinley is the, Respondent. In the interest of: Travis Tabias M., DOB: 7/10/90[,], Antrai Lamar M., DOB: 11/12/92[,], Doris Virginia M., DOB: 5/2/94[,], Jeffrey Benjamin M., DOB: 11/24/00[,], Sallie Amanda M., DOB: 10/8/98 - Greenville County - R. Kinard Johnson, Jr., Family Court Judge - **Heard June 19, 2007** - Filed June 25, 2007. Vanessa L. Hartman, of Greenville, for Petitioner. J. Falkner Wilkes, of Greenville, for Respondent. Robert A. Clark, of Greenville, for Guardian Ad Litem. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Memorandum Opinion No. 2007-MO-050** - Darrell R. Johnson and Sheryl K. Johnson, Respondents, v. Fort Mill Chrysler Plymouth Dodge **CERTIORARI TO THE COURT OF APPEALS** - York County - John C. Hayes, III, Circuit Court Judge - **Heard June 19, 2007** - Filed July 23, 2007. Ronald J. Tryon and Michael E. Kozlarek, both of Parker Poe Adams & Bernstein, of Columbia, for Petitioner. Mitchell K. Byrd, of Bauer Law Firm, of Hilton Head, for Respondents. **PER CURIAM:** This Court granted certiorari to review the court of appeals' decision in *Johnson v. Fort Mill Chrysler Plymouth Dodge*, Op. No. 2005-UP-058 (S.C. Ct. App. filed May 2, 2005). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.

**Cv-Memorandum Opinion No. 2007-MO-074** - Russell Corporation, Respondent, v. William M. Gregg, II - Richland County - L. Casey Manning, Circuit Court Judge - **Heard December 5, 2007** - Filed December 17, 2007. Harry A. Swagart, III, of Columbia, for Petitioner. Lawrence W. Johnson, Jr., of Johnson Law Firm, and W. Duvall Spruill, of Turner, Padget, Graham & Laney, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' opinion in *Russell Corp. v. Gregg*, 2005-UP-556 (S.C. Ct. App. filed Oct. 17, 2005). **We dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice Doyet A. Early, III, concur.

**Memorandum Opinion No. 2008-MO-030** - The State, Petitioner, v. Henry Poplin **CERTIORARI TO THE COURT OF APPEALS** - Richland County - G. Thomas Cooper, Jr., Circuit Judge - **Heard May 28, 2008** - Filed July 7, 2008. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General David A. Spencer, and Warren Blair Giese, all of Columbia, for Petitioner. Deputy Chief Appellate Defender for Capital Appeals Robert M. Dudek, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** After full review of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., MOORE, PLEICONES, BEATTY, JJ., and Acting Justice James W. Johnson, Jr., concur.

**Cv-Memorandum Opinion No. 2008-MO-031** - Mary S. Turbeville, as Personal Representative of the Estate of Edwin D. Turbeville, Sr., Petitioner, v. Thomas G. Wilson and Robert E. Turner, III. **CERTIORARI TO THE COURT OF APPEALS** - Florence County - James E. Brogdon, Jr., Circuit Judge - **Heard June 11, 2008** - Filed July 7, 2008. Marvin P. Jackson, Jr., of Florence, for petitioner. Andrew F. Lindemann of Davidson, Morrison and Lindemann, P.A., of Columbia; and Marian Williams Scalise of Richardson, Plowden & Robinson, of Myrtle Beach, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' unpublished decision in this case. After careful consideration, **we dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES, JJ., and Acting Justice Peter L. Fuge, concur.

**Cv-Memorandum Opinion No. 2008-MO-033** - R. Carlisle Roddey, Respondent, v. NationsWaste, Inc., and James Thomas Funderburk, Jr., Defendants, of whom NationsWaste, Inc. is Petitioner. Chester County - Kenneth G. Goode, Circuit Judge - **Heard June 25, 2008** - Filed July 28, 2008. Evans Taylor Barnette, and Susan F. Campbell, both of McCutchen, Blanton, Johnson & Barnette, of Columbia, for Petitioner. Joel W. Collins, Jr., Eric G. Fosmire, and Christian Stegmaier, all of Collins & Lacy, of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix, briefs, and oral arguments, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.

#### **2008-MO-037 = Opinion No. 26545**

**Cv-Memorandum Opinion No. 2009-MO-032** - Peggy Salters, Respondent, v. Palmetto Health Alliance Inc., d/b/a Palmetto Baptist Medical Center; Robert Schnackenberg, M.D., individually; Eric Lewkowicz, M.D., individually; Columbia Psychiatric Associates, PA, P. Kenneth Huggins, M.D., individually, Defendants, of whom Eric Lewkowicz, M.D. is Petitioner. **CERTIORARI TO THE COURT OF APPEALS** Richland County - L. Casey Manning, Circuit Judge - **Heard June 9, 2009** - Filed June 22, 2009. Andrew F. Lindemann, William H. Davidson, II, and Lawrence S. Kerr, all of Davidson, Morrison & Lindemann, of Columbia, for Petitioner. John W. Carrigg, Jr., of Irmo, and Mark W. Hardee, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' unpublished opinion in *Salters v. Palmetto Health Alliance, Inc. et al.*, Op. No. 2007-UP-187 (S.C. Ct. App., filed April 24, 2007). **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice E. C. Burnett, III, concur.

**Cv-Memorandum Opinion No. 2009-MO-042** - Carolyn Songer Austin, Petitioner, v. Town of Hilton Head Island, South Carolina, W.J. Enterprises, Inc., H.D.S. Builders, LLC, Barb Loebig, and National Bank of Commerce, Defendants, W.J. Enterprises, Inc., H.D.S. Builders, LLC, Barb Loebig and National Bank of Commerce are the Respondents. **CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Thomas Kemmerlin, Special Circuit Court Judge - **Heard May 14, 2009** - Filed July 27, 2009. M. Adam Gess, of McDaniel & Gess, of Beaufort, Mark Weston Hardee, of Hardee Law Firm, of Columbia, and Robert E. Austin, Jr., of Leesburg, Florida, for Petitioner. Drew A. Laughlin, of Laughlin & Bowen, of Hilton Head Island and Stephen Spitz, of Charleston, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals decision in Carolyn Songer Austin v. Town of Hilton Head Island, Op. No. 2007-UP-172 (S.C. Ct. App., filed April 17, 2007). On certiorari, we were presented with alleged violations of restrictive covenants in (1) reducing a lot in size such that it has a frontage of less than 60 feet in length, without proper written consent and (2) building a structure closer than 10 feet to an adjacent street line. After careful consideration, **we now dismiss certiorari as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Cv-Memorandum Opinion No. 2009-MO-044** - Gregory L. Ayers, M.D., Thomas L. Brown, M.D., Bill R. Chandler, Everette P. Fuller, M.D., and Reidville Investment Properties, LLC., Respondents, v. W. E. Freeman **CERTIORARI TO THE COURT OF APPEALS** Spartanburg County - Roger L. Couch, Circuit Judge - **Heard June 24, 2009** - Filed August 10, 2009. O. W. Bannister, of Bannister & Wyatt, of Greenville, for Petitioner. Mason A. Goldsmith, and M. Kyle Thompson, both of Love, Thornton, Arnold & Thomason, of Greenville, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' opinion. After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice James E. Moore, concur.**

**Memorandum Opinion No. 2009-MO-046** - Douglas Terrell Weiters, Petitioner, v. State of South Carolina - Charleston County - Kenneth G. Goode, Circuit Court Judge - **Heard March 18, 2009** - Filed August 24, 2009. Assistant Appellate Defender Kathrine H. Hudgins, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Cv-Memorandum Opinion No. 2009-MO-056** - Palmetto Bay Club Owners Association, a South Carolina Non-Profit Corporation Administration for the Palmetto Bay Club Horizontal Property Regime, Petitioner, v. Danna Cooper Brissie - **CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Curtis L. Coltrane, Circuit Judge - **Heard October 7, 2009** - Filed October 26, 2009. Otto W. Ferrene, Jr., of Hilton Head Island, for Petitioner. Terry A. Finger, of Finger & Fraser, of Hilton Head Island, for Respondent. **PER CURIAM:** After careful consideration of the Appendix, briefs, and oral argument, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., WALLER, PLEICONES, BEATTY, JJ., and Acting Justice James E. Moore, concur.**

**Memorandum Opinion No. 2009-MO-064** - The State, Respondent, v. Christopher Lee Pride. **CERTIORARI TO THE COURT OF APPEALS** - Union County - John C. Hayes, III, Circuit Judge - **Heard December 1, 2009** - Filed December 14, 2009. Acting Chief Appellate Defender Robert M. Dudek, of South Carolina Commission on Indigent Defense, of Columbia, and Fletcher Smith, Jr., of Greenville, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Senior Assistant Attorney General Harold M. Coombs, Jr., of Columbia, and Solicitor Kevin Scott Brackett, of York, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' opinion in State v. Pride, Op. No. 2007-UP-544 (S.C. Ct. App. filed Dec. 5, 2007). **We now dismiss the writ as improvidently granted. TOAL, C.J., WALLER, PLEICONES, KITTREDGE, JJ., and Acting Justice James E. Moore, concur.**

**Memorandum Opinion No. 2009-MO-065** - The State, Respondent, v. Christine Grove. Georgetown County - John M. Milling, Circuit Judge - **Heard November 18, 2009** - Filed December 14, 2009. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, of Columbia, and Solicitor John Gregory Hembree, of Conway, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review State v. Grove, Op. No. 2008-UP-278 (S.C. Ct. App. filed May 27, 2008). **We dismiss the writ as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2011-MO-005** - The State, Respondent, v. Eric Spratt. **CERTIORARI TO THE COURT OF APPEALS** - York County - Clifton Newman, Circuit Judge - **Heard January 19, 2011** - Filed January 31, 2011. Deputy Chief Appellate Defender Wanda H. Carter, South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson; Chief Deputy Attorney General John W. McIntosh; Assistant Deputy Attorney General Salley W. Elliott, Office of the Attorney General, of Columbia, Kevin Scott Brackett, 16th Circuit Solicitor's Office, of York, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the court of appeals reversing the order of the circuit court and remanding for further proceedings. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Cv-Memorandum Opinion No. 2011-MO-012** - Ken H. Lester, Respondent, v. Glen P. Straker; Carolyn Songer Austin; Carl C. Hendricks, Jr.; P.J. Tanner, Sheriff of Beaufort County, Defendants, of whom Carolyn Songer Austin is Petitioner, and Glen P. Straker is Respondent. CERTIORARI TO THE COURT OF APPEALS - Beaufort County - Carmen T. Mullen, Circuit Judge - **Heard March 15, 2011** - Filed April 11, 2011. Charles E. Carpenter, Jr., and Carmen V. Ganjehsani, of Carpenter Appeals & Trial Support, of Columbia, for Petitioner. Harold A. Boney, Jr., of Beaufort, for Respondent Lester. Marquard H. Lund, III, of Hilton Head Island, for Respondent Straker. **PER CURIAM:** This Court granted a writ of certiorari to review the decision of the court of appeals in Lester v. Straker, et al., Op. No. 2009-UP-385 (S.C. Ct. App. filed July 8, 2009). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**MIE-Memorandum Opinion No. 2012-MO-011** - Rachel Hall, Respondent, v. Angel Rodriguez. CERTIORARI TO THE COURT OF APPEALS - Richland County - **Joseph M. Strickland, Master-in-Equity** - **Heard March 21, 2012** - Filed April 25, 2012. James B. Richardson, Jr. and Steven R. Anderson, both of Columbia, for Petitioner. William E. Booth, III, of West Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals decision in Hall v. Rodriguez, Op. No. 2009-UP-564 (S.C. Ct. App. filed Nov. 30, 2009). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE, JJ., and Acting Justice James E. Moore, concur.

**FC-Memorandum Opinion No. 2012-MO-027** - South Carolina Department of Social Services, Respondent, v. Shawna Rene O. and David S., of whom David S., is the Petitioner. In the interest of two minor children under the age of 18. **Appellate Case No. 2011-201426** CERTIORARI TO THE COURT OF APPEALS - Aiken County - Peter R. Nuessle, Family Court Judge - **Heard June 7, 2012** - Filed July 11, 2012. Scott J. Klosinski, of Klosinski Overstreet, of Augusta, GA., for Petitioner. Amanda Frances Whittle, of Aiken, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2012-MO-030** - The State, Respondent, v. Mack Green, Petitioner. **Appellate Case No. 2010-164726** CERTIORARI TO THE COURT OF APPEALS - Hampton County - Howard P. King, Circuit Judge - **Heard June 20, 2012** - Filed July 25, 2012. Kathrine Haggard Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott and Senior Assistant Deputy Attorney General Deborah R.J. Shupe, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2012-MO-037** - The State, Respondent, v. Jeffrey S. Evans, Petitioner. **Appellate Case No. 2010-180746** CERTIORARI TO THE COURT OF APPEALS - Anderson County - Alexander S. Macaulay, Circuit Judge - **Heard October 2, 2012** - Filed October 10, 2012. Appellate Defender LaNelle Cantey DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, Assistant Deputy Attorney General David A. Spencer, all of Columbia, and, Solicitor Christina T. Adams, of Anderson, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the court of appeals affirming the Petitioner's convictions. **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2012-MO-40** - The State, Petitioner, v. Ricky Darren Sanders. **Appellate Case No. 2010-173047** CERTIORARI TO THE COURT OF APPEALS - Sumter County - R. Ferrell Cothran, Jr., Circuit Judge - **Heard October 3, 2012** - Filed October 24, 2012. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General William M. Blich, Jr., all of Columbia; and Solicitor Ernest Adolphus Finney, III, of Sumter, for Petitioner. Susan Barber Hackett, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the Court of Appeals in State v. Sanders, Op. No. 2010-UP-362 (S.C. Ct. App. filed July 12, 2010). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2012-MO-043** - William D. Curtis, Respondent, v. Sandra Morris Blake, as Personal Representative of the Estate of Brandon T. Blake. **Appellate Case No. 2011-191906** CERTIORARI TO THE COURT OF APPEALS - Orangeburg County J. Derham Cole, Circuit Court Judge - **Heard October 16, 2012** - Filed October 24, 2012. Thomas J. Keaveny, II and Amy B. Rothschild, both of Keaveny Law Firm, of Charleston, for Petitioner. Robert Norris Hill, of Newberry, Mark Brandon Tinsley, of Gooding & Gooding, of Allendale, and C. Bradley Hutto, of Williams & Williams, of Orangeburg, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the court of appeals affirming the denial of Petitioner's motion for a new trial. **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2012-MO-050** - Robert Anthony James, Petitioner, v. State of South Carolina. **Appellate Case No. 2012-206346 CERTIORARI TO THE COURT OF APPEALS** - Richland County - Alison Renee Lee, Circuit Judge - **Heard June 20, 2012** - Filed November 21, 2012. Susan Barber Hackett, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, Assistant Deputy Attorney General David A. Spencer, all of Columbia, for Respondent. E. Charles Grose, Jr., of Greenwood, and Tara S. Waters, of Laurens, for Amicus Curiae South Carolina Public Defender Association. **PER CURIAM:** We granted a writ of certiorari to review the decision of the Court of Appeals in *James v. State*, Op. No. 2011-UP-480 (S.C. Ct. App. filed Oct. 27, 2011). **We now dismiss the writ as improvidently granted.** TOAL, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Memorandum Opinion No. 2012-MO-051** - The State, Respondent, v. David M. Rocquemore. Appellate Case No. 2010-173067 **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Daniel F. Pieper, Circuit Judge - **Heard November 15, 2012** - Filed December 12, 2012. Chief Appellate Defender Robert M. Dudek, of Columbia, for Petitioner. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, Senior Assistant Deputy Attorney General Deborah R.J. Shupe, of Columbia, and Scarlett A. Wilson, of Charleston, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the court of appeals affirming the denial of Petitioner's motion for a mistrial. **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2012-MO-053** - The State, Respondent, v. Marques Hudson. Appellate Case No. 2010-161526 **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - C. Victor Pyle, Jr., Circuit Judge - **Heard November 14, 2012** - Filed December 12, 2012. Appellate Defender LaNelle Cantey DuRant, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, Assistant Deputy Attorney General David A. Spencer, all of Columbia; and Solicitor William W. Wilkins of Greenville, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the Court of Appeals in *State v. Hudson*, Op. No. 2010-UP-141 (S.C. Ct. App. filed Feb. 22, 2010). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Opinion No. 2012-MO-056** - Robert Coake and Susan Coake, Respondents, v. Kathleen Burt, n/k/a Kathleen Thomason. Appellate Case No. 2011-188246 **CERTIORARI TO THE COURT OF APPEALS** - Anderson County - J. Cordell Maddox, Jr., Circuit Judge - **Heard December 6, 2012** - Filed December 19, 2012. Harold P. Threlkeld, of Anderson, for Petitioner. James Allbright Blair III and Kirsten Elena Small, both of Nexsen Pruet, of Greenville, for Respondents. **PER CURIAM:** We granted certiorari to review the decision of the court of appeals finding the circuit court erred in directing a verdict in favor of the seller of residential real estate because the issues of the reasonableness of the purchasers' inspection of the real estate prior to closing and the damages incurred from the seller's alleged incomplete or misleading disclosures on the inspection form were questions that should have been resolved by the jury. See *Coake v. Burt*, 391 S.C. 201, 705 S.E.2d 453 (Ct. App. 2010). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2013-MO-001** - Christopher Lovett Burke, Petitioner, v. State of South Carolina. **Appellate Case No. 2009-133967** - Spartanburg County - John C. Few, Trial Judge - J. Mark Hayes, II, Post-Conviction Judge - **Heard October 6, 2011** - Filed January 30, 2013. Appellate Defender Robert M. Pachak, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Suzanne H. White, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2013-MO-008** - Robin Carson Cantrell, Petitioner, v. Carolinas Recycling Group, Employer, and Wasau Insurance Companies, Carrier. Appellate Case No. 2011-194426 **CERTIORARI TO THE COURT OF APPEALS** - Spartanburg County - J. Mark Hayes, II, Circuit Judge - **Heard February 20, 2013** - Filed March 6, 2013. Richard H. Rhodes and William Hardwick Rhodes, both of Burts Turner & Rhodes of Spartanburg, for Petitioner. Carmelo Barone Sammataro and Cynthia C. Dooley of Turner Padgett Graham & Laney, PA, of Columbia for Respondents. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2013-MO-020** - Thomas Chad Heaton, Respondent, v. State of South Carolina. Appellate Case No. 2011-205087 **CERTIORARI TO THE COURT OF APPEALS** - Anderson County - John C. Hayes, III, Post-Conviction Judge - **Heard June 6, 2013** - Filed June 12, 2013. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, and Senior Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Petitioner. Ricky K. Harris, of Spartanburg, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the

*court of appeals' decision in Heaton v. State, Op. No. 2011-UP-456 (S.C. Ct. App. filed Oct. 13, 2011), **affirming the grant of Respondent's post-conviction relief (PCR) application**. We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.*

**Cv-Memorandum Opinion No. 2013-MO-029** - Ronald E. Price and Diana R.B. Price, Respondents, v. Investors Title Insurance Company. **Appellate Case No. 2011-199386 CERTIORARI TO THE COURT OF APPEALS** - Berkeley County - Kristi Lea Harrington, Circuit Judge - **Heard October 3, 2013** - Filed October 9, 2013. Hamilton Osborne, Jr., James Y. Becker, and Emily H. Farr, all of Haynsworth Sinkler Boyd, PA, of Columbia for Petitioner. Tobias G. Ward, Jr. and J. Derrick Jackson, both of Tobias G. Ward, Jr., PA, of Columbia, for Respondents. **PER CURIAM:** We granted certiorari to review the court of appeals' reversal of the circuit court's dismissal of this case. **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2014-MO-005** - The State, Respondent, v. Vashaun Ravenel. **Appellate Case No. 2012-209546** - Charleston County - Roger M. Young, Sr., Circuit Judge - **Heard January 8, 2014** - Filed February 26, 2014. Appellate Defender Wanda H. Carter, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Senior Assistant Deputy Attorney General Salley W. Elliott, both of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix, Record, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2014-MO-010** - Amy Davidson, Petitioner, v. City of Beaufort, Branch Banking & Trust of South Carolina, Collins Engineering, Inc., Brantley Construction Company, Inc., and Tidal Wave 23, LLC, Defendants, of whom Collins Engineering Inc., Brantley Construction Company, Inc., and Tidal Wave 23, LLC, are Respondents. and Phillip Davidson, Petitioner, v. City of Beaufort, Branch Banking & Trust of South Carolina, Collins Engineering Inc., Brantley Construction Company, Inc., and Tidal Wave 23, LLC, Defendants, of whom Collins Engineering, Inc., Brantley Construction Company, Inc., and Tidal Wave 23, LLC, are Respondents. **Appellate Case No. 2011-199428 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Marvin H. Dukes, III, Special Circuit Judge - **Heard February 19, 2014** - Filed April 16, 2014. H. Fred Kuhn, Jr. and James H. Moss, both of Moss Kuhn & Fleming, PA, of Beaufort, for Petitioners. H. Michael Bowers and Laura Johnson Evans, both of Smith Moore Leatherwood, LLP, M. Dawes Cooke, Jr. and Phillip S. Ferderigos, both of Barnwell Whaley Patterson & Helms, LLC, R. Patrick Flynn and Robert J. Cardillo, both of Robertson Hollingsworth & Flynn, all of Charleston, for Respondents. **PER CURIAM:** After careful review of the Appendixes, Briefs, and Record, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.

**Memorandum Opinion No. 2014-MO-019** - The State, Respondent, v. Mike Salley. **Appellate Case No. 2012-212233 CERTIORARI TO THE COURT OF APPEALS** - Aiken County - Ralph F. Cothran, Circuit Judge - **Heard June 11, 2014** - Filed June 18, 2014. Appellate Defender Kathrine Haggard Hudgins, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, and Assistant Attorney General Mark Reynolds Farthing, both of Columbia, for Respondent. **PER CURIAM:** We granted Mike Salley's petition for a writ of certiorari to review the decision of the Court of Appeals in State v. Salley, Op. No. 2012-UP091 (S.C. Ct. App. filed Feb. 22, 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE, JJ., and Acting Justice Dorothy Mobley Jones, concur.

**Memorandum Opinion No. 2014-MO-025** - The State, Respondent, v. Darian K. Robinson. **Appellate Case No. 2010-172947 CERTIORARI TO THE COURT OF APPEALS** - Greenville County - John C. Few, Circuit Judge - **Heard June 12, 2014** - Filed July 2, 2014. Chief Appellate Defender Robert Michael Dudek, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, and Senior Assistant Attorney General W. Edgar Salter, III, all of Columbia, and Solicitor William Walter Wilkins, III, of Greenville, for Respondent. **PER CURIAM:** After careful consideration of the Record, Appendix, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, JJ., and Acting Justices Dorothy Mobley Jones and D. Craig Brown, concur.

**Cv-Memorandum Opinion No. 2014-MO-029** - Hoang Berry, Petitioner, v. Stokes Import Collision Center. **Appellate Case No. 2013-000603 CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Kristi Lea Harrington, Circuit Judge - **Heard June 10, 2014** - Filed July 9, 2014. Jason G. Soper, of Soper Law Firm, LLC, of North Charleston, for Petitioner. H. Clayton Walker, Jr. and Robert L. Reibold, both of Walker & Reibold, LLC, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in Berry v. Stokes Import Collision Center, Op. No. 2013-UP-007 (S.C. Ct. App. filed Jan. 9, 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2014-MO-030** - The State, Respondent, v. Nathaniel Murray. **Appellate Case No. 2012-212289 CERTIORARI TO THE COURT OF APPEALS** - Richland County - L. Casey Manning, Circuit

Judge - **Heard June 24, 2014** – Filed July 16, 2014. Assistant Public Defender Dayne C. Phillips and Appellate Defender Carmen V. Ganjehsani, both of Columbia, for Petitioner. Attorney General Alan M. Wilson, Assistant Deputy Attorney General David A. Spencer, and Solicitor Daniel E. Johnson, all of Columbia, for Respondent. **PER CURIAM:** We granted Nathaniel Murray's petition for a writ of certiorari to review the court of appeals' decision in State v. Murray, Op. No. 2012-UP-228 (S.C. Ct. App. filed Apr. 18, 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2014-MO-040** - The State, Respondent, v. Kevin Shane Epting, Appellate Case No. 2012-212346 - Laurens County D. Garrison Hill, Circuit Court Judge - **Heard September 25, 2014** – Filed October 22, 2014. Appellate Defender LaNelle Cantey DuRant, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, and Assistant Attorney General William M. Blich, Jr., all of Columbia, for Respondent. **PER CURIAM:** After careful review of the record, appendix, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**WCC-Memorandum Opinion No. 2014-MO-041** - Margaree Maple, Petitioner, v. Heritage Healthcare of Ridgeway, and Phoenix Insurance Company, Carrier. Appellate Case No. 2012-212605 **CERTIORARI TO THE COURT OF APPEALS - The Workers' Compensation Commission** - Andrea C. Roche, Commissioner - **Heard October 8, 2014** – Filed October 22, 2014. Preston F. McDaniel, of McDaniel Law Firm, of Columbia, for Petitioner. Richard Daniel Addison, of Hedrick Gardner Kincheloe & Garofalo, LLP, of Columbia, for Respondents. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in Maple v. Heritage Healthcare of Ridgeway, Op. No. 2012-UP-302 (S.C. Ct. App. filed June 27, 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2014-MO-046** - Melanie Taylor, Petitioner, v. Converse College. Appellate Case No. 2013-000125 **CERTIORARI TO THE COURT OF APPEALS** - Spartanburg County - J. Derham Cole, Circuit Judge - **Heard November 20, 2014** – Filed December 3, 2014. Nancy Bloodgood and Lucy C. Sanders, of Foster Law Firm, LLC, of Charleston, for Petitioner. Thomas H. Keim, Jr., of Ford & Harrison, LLP of Spartanburg, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in Taylor v. Converse College, Op. No. 2012-UP-601 (S.C. Ct. App. Nov. 7, 2012). **We now dismiss the writ as improvidently granted.** PLEICONES, Acting Chief Justice, BEATTY, HEARN, JJ., and Acting Justices James E. Moore and Paul M. Burch, concur.

**Memorandum Opinion No. 2015-MO-004** - The State, Respondent, v. Danny Ryant, Appellate Case No. 2013-000400 **CERTIORARI TO THE COURT OF APPEALS** - Orangeburg County - Edgar W. Dickson, Circuit Judge - **Heard January 13, 2015** – Filed January 28, 2015. Appellate Defender Kathrine Haggard Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Attorney General Donald J. Zelenka, Senior Assistant Deputy Attorney General Melody Jane Brown, all of Columbia, and Solicitor David Michael Pascoe, Jr., of Orangeburg, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in State v. Ryant, Op. No. 2012-UP-647 (S.C. Ct. App. filed Dec. 5, 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2015-MO-006** - David W. Keller, Respondent, v. ING Financial Partners, Inc., William C. Johnson, Diversified Business Concepts, Inc., and Jackson National Life Insurance Company, Defendants, of whom ING Financial Partners, Inc., William C. Johnson, and Diversified Business Concepts, Inc., are, Petitioners. Appellate Case No. 2013-000651 **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - D. Garrison Hill, Circuit Judge - **Heard February 5, 2015** – Filed February 11, 2015. Ashley Bryan Abel and Thomas Chase Samples, both of Jackson Lewis, P.C., of Greenville, for Petitioners. Pierce Talmadge MacLennan, H. Donald Sellers and J. W. Matthews, III, all of Haynsworth Sinkler Boyd, P.A., of Greenville, for Respondent. Alice W. Parham Casey, of Wyche, P.A. of Columbia, for Amicus Curiae, Financial Industry Regulatory Authority, Inc. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Keller v. ING Fin. Partners, Inc., Op. No. 2013-UP-014 (S.C. Ct. App. filed Jan. 9, 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2015-MO-010** - Neshen Mitchell, Individually and as the next friend of her minor child, Hakeem T.M., Petitioners, v. Juan Marruffo, d/b/a Liberty Express, Adrian Moralez, RET Partnership, William T. McQueeney, Carl E. Roberts, Karl R. Henderson, and Steven Parham, Defendants, of whom RET Partnership, William T. McQueeney, Carl E. Roberts, Karl R. Henderson, and Steven Parham are the, Respondents. Appellate Case No. 2013-000670 **CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Roger M. Young, Sr., Circuit Judge - **Heard February 4, 2015** – Filed March 4, 2015. Richard S. Rosen and Andrew D. Gowdown, both of Rosen, Rosen & Hagood, LLC, of Charleston, and J. Joseph Condon, Jr., of North Charleston, for Petitioners. Samuel R. Clawson, Timothy A. Domin, and Christina R. Fagnoli, all of Clawson and Staubes, LLC, of Charleston, for Respondents. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Mitchell v. Marruffo, Op. No. 2013-UP-010 (S.C. Ct. App. filed Jan. 9, 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2015-MO-011** - The State, Respondent, v. Gregory Wright, Appellate Case No.

**2013-001973 CERTIORARI TO THE COURT OF APPEALS** - Sumter County - Michael G. Nettles, Circuit Judge - **Heard March 4, 2015** - Filed March 18, 2015. Appellate Defender Robert M. Pachak, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Assistant Attorney General William M. Blitch, Jr., both of Columbia, for Respondent. **PER CURIAM:** We granted the petition for a writ of certiorari to review the Court of Appeals' decision in *State v. Wright*, Op. No. 2013-UP-326 (S.C. Ct. App. filed July 17, 2013). **The writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 2015-MO-012** - *The State, Respondent, v. Demetrius Goodwin*. **Appellate Case No. 2013-001083 CERTIORARI TO THE COURT OF APPEALS** - Richland County - W. Jeffrey Young, Circuit Judge - **Heard February 18, 2015** - Filed March 18, 2015. Appellate Defender LaNelle C. DuRant, of Columbia, for Petitioner. Attorney General Alan M. Wilson, and Assistant Attorney General Jennifer E. Roberts, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in *State v. Goodwin*, Op. No. 2013-UP-110 (S.C. Ct. App. filed Mar. 13, 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2015-MO-013** - Gregory M. Gottschlich and Donald L. McNeil, Petitioners, v. Strimpfel Custom Homes, Inc.; Joseph A. Reeve; Jerry L. Richardson; Coastal Surveying, Co., Inc.; Thomas N. Dye; Jan H. Dye; Ken Oliver; The Byrne Corporation, d/b/a Dunes Marketing Group; Laurich & Deeb, P.A.; Robert M. Deeb, Jr. and Charles H. Wiseman, Defendants, of whom Ken Oliver, The Byrne Corporation d/b/a Dunes Marketing Group, Laurich & Deeb, P.A., Robert M. Deeb, Jr. and Charles H. Wiseman are, Respondents. **Appellate Case No. 2013-000375 CERTIORARI TO THE COURT OF APPEALS** - Beaufort County - Marvin H. Dukes, III, Circuit Judge - **Heard January 14, 2015** - Filed March 25, 2015. Charles E. Carpenter, Jr., of Carpenter Appeals & Trial Support, LLC, of Columbia, for Petitioners. Susan Taylor Wall and Henry Wilkins Frampton, both of McNair Law Firm, PA, of Charleston, Max G. Mahaffee, of Grimball & Cabaniss, LLC, of Charleston, for Respondents. **PER CURIAM:** We granted certiorari to review the decision of the Court of Appeals in *Gottschlich v. Strimpfel Custom Homes, Inc.*, Op. No. 2012-UP-676 (S.C. Ct. App. filed Dec. 19, 2012). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Cv-Memorandum Opinion No. 2015-MO-025** - Errol Washington, as Personal Representative of the Estate of Danny Washington, Petitioner, v. Alice R. Stewart, Leroy Stewart, Alvin E. Burch, a/k/a Alvin E. Birch, Rudell S. Burch, Sterling Lending Group, Inc., a South Carolina Corporation, Regent Bank, and Wachovia Bank, N.A., Defendants, of whom Alice R. Stewart, Leroy Stewart, Alvin E. Burch, a/k/a Alvin E. Birch, Rudell S. Burch and Wachovia Bank, N.A. are the Respondents. **Appellate Case No. 2012-213171 CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Roger M. Young, Sr., Circuit Judge - **Heard April 21, 2015** - Filed May 6, 2015. T. Alexander Beard, of Beard Law Offices, of Mt. Pleasant, and Edward P. Guerard, Jr., of Mt. Pleasant, both for Petitioner. Trudy Hartzog Robertson and Robert Ernest Sumner, IV, both of Moore & Van Allen, PLLC, of Charleston, for Respondent. **PER CURIAM:** We granted certiorari to review the decision of the Court of Appeals in *Washington v. Stewart*, Op. No. 2012-UP-420 (S.C. Ct. App. filed July 11, 2012), which affirmed the circuit court's grant of summary judgment for Wachovia Bank on Errol Washington's claims of aiding and abetting a breach of fiduciary duty and negligence. **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2015-MO-027** - *Kamell D. Evans, Respondent/Petitioner, v. State of South Carolina, Petitioner/Respondent*. **Heard December 9, 2014** - Filed May 13, 2015 **Appellate Case No. 2011-188687** - Greenville County - D. Garrison Hill, Circuit Judge. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka and Senior Assistant Attorney General Melody J. Brown, all of Columbia, for Petitioner/Respondent. William H. Ehliess, II, of Greenville, and Christopher W. Seeds, of Ithaca, New York, for Respondent/Petitioner. J. Christopher Mills, of Columbia, for Amicus Curiae, South Carolina Religious Leaders and Scholars. **PER CURIAM:** After careful review of the record, appendix, and briefs, **the writs of certiorari are dismissed as improvidently granted.** PLEICONES, BEATTY, and HEARN, JJ., concur. **TOAL, C.J., dissenting in a separate opinion in which KITTREDGE, J., concurs.**

**Memorandum Opinion No. 2015-MO-028** - *Jonathan Kyle Binney, Petitioner/Respondent, v. State of South Carolina, Respondent/Petitioner*. **Heard January 13, 2015** - Filed May 13, 2015 **Appellate Case No. 2012-212107** - Cherokee County - J. Michael Baxley, Circuit Judge. John H. Blume, of Ithaca, New York, and Emily C. Paavola, of Columbia, for Petitioner/Respondent. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka and Senior Assistant Attorney General William E. Salter, III, all of Columbia, for Respondent/Petitioner. J. Christopher Mills, for Amicus Curiae, South Carolina Religious Leaders and Scholars. **PER CURIAM:** After careful review of the record, appendix, and briefs, **the writs of certiorari are dismissed as improvidently granted.** PLEICONES, BEATTY and HEARN, JJ., concur. **KITTREDGE, J., concurring in part and dissenting in part in a separate opinion in which TOAL, C.J., concurs**

**Memorandum Opinion No. 2015-MO-029** - *John Kennedy Hughey, Respondent/Petitioner, v. State of South Carolina, Petitioner/Respondent*. **Appellate Case No. 2010-170387** - Abbeville County - Alexander S. Macaulay, Circuit Judge -

**Heard January 15, 2015** – Filed May 13, 2015. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, and Senior Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia, for Petitioner/Respondent. E. Charles Grose, of Greenwood, and Tara Schulz Waters, of Summerville, for Respondent/Petitioner. J. Christopher Mills, for Amicus Curiae, South Carolina Religious Leaders and Scholars. **PER CURIAM:** After careful review of the record, appendix, and briefs, **the writs of certiorari are dismissed as improvidently granted. PLEICONES, BEATTY and HEARN, JJ., concur. KITTREDGE, J., concurring in part and dissenting in part in a separate opinion in which TOAL, C.J., concurs.**

**Memorandum Opinion No. 2015-MO-035** – The State, Respondent, v. Antwan McMillan. Appellate Case No. 2013-002715 **CERTIORARI TO THE COURT OF APPEALS** – Colleton County – Perry M. Buckner, III, Circuit Judge – **Heard May 20, 2015** – Filed June 17, 2015. Appellate Defender Kathrine Haggard Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Mark Reynolds Farthing, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in State v. McMillan, Op. No. 2013-UP-317 (S.C. Ct. App. refiled Sept. 25, 2013). After careful consideration of the Appendix, Record, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE, JJ., and Acting Justice James E. Moore, concur.**

**Memorandum Opinion No. 2015-MO-036** – The State, Respondent, v. David Jakes. Appellate Case No. 2013-002571 **CERTIORARI TO THE COURT OF APPEALS** – Colleton County – Perry M. Buckner, III, Circuit Judge – **Heard May 20, 2015** – Filed June 17, 2015. Appellate Defender LaNelle Cantey DuRant, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Mark Reynolds Farthing, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in State v. Jakes, Op. No. 2013-UP-360 (S.C. Ct. App. filed Oct. 2, 2013). After careful consideration of the Appendix, Record, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE, JJ., and Acting Justice James E. Moore, concur.**

**Cv-Memorandum Opinion No. 2015-MO-039** – Jamesetta Washington, as Guardian ad Litem for Jayden W., a minor, Petitioner, v. Edmund Rhett, Jr., M.D., Low Country Obstetrics and Gynecology, P.A.; Tenet South Carolina, Inc., d/b/a East Cooper Regional Medical Center, Defendants, of whom Edmund Rhett, Jr., M.D. is the Respondent. Appellate Case No. 2014-000831 **CERTIORARI TO THE COURT OF APPEALS** – Charleston County – J. Michael Baxley, Circuit Judge – **Heard June 16, 2015** – Filed June 24, 2015. Edward L. Graham and John Layton Ruffin, both of Graham Law Firm, P.A., of Florence, for Petitioner. Robert H. Hood and Mary Agnes Hood Craig, both of Charleston; Deborah Harrison Sheffield, of Columbia, all of Hood Law Firm, L.L.C., for Respondent. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Washington v. Rhett, Op. No. 2014-UP-055 (S.C. Ct. App. filed Feb. 5, 2014). **We now dismiss the writ as improvidently granted. PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.**

**Opinion No. 2015-MO-041** – The State, Respondent, v. Kevin Jerome Gilliard. Appellate Case No. 2012-213344 **CERTIORARI TO THE COURT OF APPEALS** – Anderson County – J. Cordell Maddox, Jr., Circuit Judge – **Heard June 16, 2015** – Filed July 15, 2015. Deputy Chief Appellate Defender Wanda H. Carter, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Senior Assistant Deputy Attorney General Deborah R.J. Shupe, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in State v. Gilliard, Op. No. 2012-UP-351 (S.C. Ct. App. filed June 13, 2012). **We now dismiss the writ as improvidently granted. PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.**

**WCC-P-Memorandum Opinion No. 2015-MO-059** – Virginia A. Miles, Employee, Petitioner, v. Waffle House, Inc., Employer, and Brentwood Services, Inc., Carrier. Appellate Case No. 2013-000274 **CERTIORARI TO THE COURT OF APPEALS** – **Appellate Panel South Carolina Workers' Compensation Commission** – **Heard September 22, 2015** – Filed September 30, 2015. Stephen Benjamin Samuels, of Samuels Law Firm, L.L.C., of Columbia, for Petitioner. Helen Faith Hiser, of McAngus Goudelock & Courie, L.L.C., of Mount Pleasant, for Respondents. **PER CURIAM:** We granted certiorari to review the Court of Appeals' decision in Miles v. Waffle House, Inc., Op. No. 2012-UP-552 (S.C. Ct. App. filed Jan. 9, 2013). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-063** – Ayree Henderson, Respondent, v. State of South Carolina. Appellate Case No. 2014-001126 **CERTIORARI TO THE COURT OF APPEALS** – Richland County – G. Thomas Cooper, Jr., Circuit Judge – **Heard September 23, 2015** – Filed October 28, 2015. Attorney General Alan M. Wilson and Assistant Attorney General Megan H. Jameson, both of Columbia, for Petitioner. Deputy Chief Appellate Defender Wanda H. Carter, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in Henderson v. State, Op. No. 2014-UP-122 (S.C. Ct. App. filed March 19, 2014). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Cv-Memorandum Opinion No. 2015-MO-064** – Place on the Greene Homeowners Association, Inc., Petitioner, v. W.G.R.Q., LLC, Easy Coin Laundry, Inc., Eva Nell Berry, and Jeffrey O. Kenney. Appellate Case No. 2013-001980 **CERTIORARI TO THE COURT OF APPEALS** – Richland County – Alison R. Lee Circuit Judge – **Heard September 24, 2015** – Filed November 4, 2015.

William M. Spillane and James B. Richardson, Jr., both of Columbia, for Petitioner. Jamie M. Best, III, of Allen, Gantt & Best; John S. Nichols and Blake A. Hewitt, both of Bluestein, Nichols, Thompson & Delgado, LLC; and Brian L. Boger; all of Columbia, for Respondents. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in Place on the Greene Home-owners Assn. v. W.G.R.Q., Op. No. 2013-UP-297 (S.C. Ct. App. filed July 3, 2013). **We now dismiss the writ as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2015-MO-067 - The State, Respondent, v. David Gerrard Johnson. Appellate Case No. 2014-001506 CERTIORARI TO THE COURT OF APPEALS - Florence County - Thomas A. Russo, Circuit Judge - Heard October 8, 2015 -** Filed December 2, 2015. Appellate Defender Susan Barber Hackett, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, Senior Assistant Attorney General Melody Jane Brown, all of Columbia, and Solicitor Edgar Lewis Clements III, of Florence, all for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in State v. Johnson, Op. No. 2014-UP-167 (S.C. Ct. App. filed April 9, 2014). **We now dismiss the writ of certiorari as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Opinion No. 2015-MO-069 - Russell W. Rice, Jr., Petitioner, v. State of South Carolina. Appellate Case No. 2014-002602 CERTIORARI TO THE COURT OF APPEALS - Greenville County - Robin B. Stikwell, Circuit Judge. Heard November 5, 2015 -** Filed December 2, 2015. Appellate Defender Robert M. Pachak, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Senior Assistant Deputy Attorney General Karen C. Ratigan, and John Walter Whitmire, of McCabe, Trotter & Beverly, P.C., all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' opinion in Rice v. State, Op. No. 2014-UP-361 (S.C. Ct. App. filed Oct. 15, 2014). **We now dismiss the writ of certiorari as improvidently granted.** TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.

**Memorandum Opinion No. 2016-MO-001 - The State, Respondent, v. Tawanda Allen. Appellate Case No. 2014-002245 CERTIORARI TO THE COURT OF APPEALS - Williamsburg County - Clifton Newman, Circuit Judge - Heard December 1, 2015 -** Filed January 6, 2016. Chief Appellate Defender Robert M. Dudek, of Columbia, for Petitioner. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, Assistant Attorney General Alphonso Simon, Jr., all of Columbia; and Ernest A. Finney, III, of Sumter, all for Respondent. **PER CURIAM:** We granted certiorari to review the court of appeals' decision in State v. Allen, Op. No. 2014-UP-304 (S.C. Ct. App. filed July 30, 2014). **We now dismiss the writ as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice Jean H. Toal, concur.

**Cv-Memorandum Opinion No. 2016-MO-003 - Roger R. Riemann, Petitioner, v. Palmetto Gems & Gemological Services, Inc. and Thomas Shofner, in his individual capacity. Appellate Case No. 2015-001100 CERTIORARI TO THE COURT OF APPEALS - Lexington County - R. Knox McMahon, Circuit Judge - Heard February 10, 2016 -** Filed February 24, 2016. Eugene Hamilton Matthews, Sheila Marlouvon Bias and Carmen Vaughn Ganjehsani, all of Richardson Plowden & Robinson, P.A., of Columbia, for Petitioner. Angus H. Macaulay and James Andrew Byars, both of Nexsen Pruet, L.L.C., of Columbia, for Respondents. **PER CURIAM:** We granted Roger R. Riemann's petition for a writ of certiorari to review the decision of the Court of Appeals in Riemann v. Palmetto Gems & Gemological Servs., Op. No. 2015-UP-107 (S.C. Ct. App. filed Mar. 4, 2015). **We now dismiss the writ as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice Alison Renee Lee, concur.

**Memorandum Opinion No. 2016-MO-012 - Charles Christopher Williams, Petitioner, v. State of South Carolina. Appellate Case No. 2013-001945 - Greenville County - G. Edward Welmaker, Post-Conviction Judge - Heard March 22, 2016 -** Filed April 13, 2016. Derek Joseph Enderlin, of Ross & Enderlin, P.A., of Greenville, for Petitioner. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia, and William W. Wilkins, III, of Greenville, for Respondent. Louis O'Neill, of White & Case, LLP, of New York, New York and John S. Nichols, of Bluestein Nichols Thompson & Delgado, LLC, of Columbia, for Amicus Curiae, The Federal Republic of Germany. **PER CURIAM:** We granted a writ of certiorari to review the decision of the postconviction relief judge. **We now dismiss the writ as improvidently granted.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.

**Memorandum Opinion No. 2016-MO-022 The State, Respondent, v. Jon Wynn Jarrard, Sr. Appellate Case No. 2015-000334 - Horry County - Larry B. Hyman, Jr., Circuit Judge - Heard June 14, 2016 -** Filed June 29, 2016. Craig Robert Stanley and Chief Appellate Defender Robert Michael Dudek, both of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Senior Assistant Deputy Attorney General Deborah R.J. Shupe, and Assistant Attorney General Mark Reynolds Farthing, all of Columbia, and Solicitor Jimmy A. Richardson, II, of Conway, for Respondent. **PER CURIAM:** After careful review of the record, appendix, and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.

**Cv-Memorandum Opinion No. 2016-MO-030 - James W. Trexler, Petitioner, v. The Associated Press, Barrington Broadcasting South Carolina Corp., Raycom TV Broadcasting, Inc., The Spartanburg Herald Journal, Inc., and The**

Pacific & Southern Co. **Appellate Case No. 2015-001368 CERTIORARI TO THE COURT OF APPEALS** - Richland County - Joseph M. Strickland, Special Circuit Judge - **Heard September 7, 2016** – Filed October 19, 2016. William H. Johnson, of Law Offices of William H. Johnson, LLC, of Manning; W. Westbrook Wills, III, of Folly Beach; and Matthew D. Hamrick, of Charleston, all for Petitioner. Jerry Jay Bender, of Baker, Ravenel & Bender, LLP, of Columbia, for Respondents. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in *Trexler v. The Associated Press*, Op. No. 2015-UP-201 (S.C. Ct. App. filed Apr. 15, 2015). After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** PLEICONES, C.J., BEATTY, KITTREDGE, JJ., and Acting Justice J. Mark Hayes, II, concur.

**Memorandum Opinion No. 2017-MO-010** - *The State, Respondent, v. Wayne Albeon Scott, Jr.* **Appellate Case No. 2016-000067 CERTIORARI TO THE COURT OF APPEALS** - Florence County Howard King, Circuit Judge - **Heard May 2, 2017** – Filed May 31, 2017. Appellate Defender LaNelle Cantey DuRant, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General J. Robert Bolchoz, and Senior Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia; Solicitor Edgar Lewis Clements, III, of Florence, all for Respondent. **PER CURIAM:** We granted Wayne Albeon Scott, Jr.'s petition for a writ of certiorari to review the Court of Appeals' decision affirming the circuit court's refusal to grant Scott immunity under the South Carolina Protection of Persons and Property Act. *State v. Scott*, Op. No. 2015-UP-513 (S.C. Ct. App. filed Nov. 12, 2015). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW, JJ., and Acting Justice DeAndrea Benjamin, concur.

**Memorandum Opinion No. 2017-MO-013** - *The State, Respondent, v. Ryan P. Deleston.* **Appellate Case No. 2016-001103 CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Kristi Lea Harrington, Circuit Judge - **Heard May 24, 2017** – Filed July 19, 2017. Chief Appellate Defender Robert Michael Dudek and Appellate Defender Lara Mary Caudy, both of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General J. Robert Bolchoz, and Deputy Attorney General Donald J. Zelenka, all of Columbia, and Solicitor Scarlett Anne Wilson, of Charleston, for Respondent. **PER CURIAM:** We granted Ryan P. Deleston's petition for a writ of certiorari to review the decision of the court of appeals affirming his conviction. **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Memorandum Opinion No. 2017-MO-014** - *The State, Respondent, v. Tyrel R. Collins.* **Appellate Case No. 2016-000877 CERTIORARI TO THE COURT OF APPEALS** - Charleston County - Roger M. Young, Sr., Circuit Judge - **Heard May 2, 2017** – Filed July 19, 2017. Appellate Defender Susan B. Hackett, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General J. Robert Bolchoz, Senior Assistant Deputy Attorney General Donald J. Zelenka, and Senior Assistant Attorney General Melody J. Brown, all of Columbia; and Solicitor Scarlett A. Wilson, of Charleston, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the court of appeals' decision in *State v. Collins*, Op. No. 2016-UP-034 (S.C. Ct. App. filed Jan. 20, 2016). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW, and JAMES, JJ., concur.

**FC-Memorandum Opinion No. 2017-MO-018** - South Carolina Department of Social Services, Respondent, v. Mattie Walls, Carley Jason Walls, Dwayne Anderson and Barbara Anderson, Defendants, of whom Carley Jason Walls is the Petitioner. In the interest of a minor under the age of eighteen. **Appellate Case No. 2017-000426 CERTIORARI TO THE COURT OF APPEALS** - Laurens County - Joseph C. Smithdeal, Family Court Judge - **Heard October 18, 2017** – Filed October 25, 2017. Melinda Inman Butler, of The Butler Law Firm, LLC., of Union, for Petitioner. Scarlet Bell Moore, of Greenville, for Respondent. **PER CURIAM:** We granted Carley Jason Walls' petition for a writ of certiorari to review the court of appeals' decision in *South Carolina Department of Social Services v. Mattie Walls*, No. 2016-UP-482 (S.C. Ct. App. Nov. 16, 2016). **We now dismiss the writ as improvidently granted.**<sup>1</sup> BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur. ([1] Although we dismiss certiorari as improvidently granted, we note that we have reviewed the record de novo and find the grounds for terminating Petitioner's parental rights are supported by clear and convincing evidence.

**FC-Memorandum Opinion No. 2017-MO-019** - South Carolina Department of Social Services, Respondent, v. Mattie Walls, Carley Jason Walls, Dwayne Anderson, and Barbara Anderson, Defendants, of whom Mattie Walls is the Petitioner. In the interest of a minor under the age of eighteen. **Appellate Case No. 2017-000477 CERTIORARI TO THE COURT OF APPEALS** - Laurens County - Joseph C. Smithdeal, Family Court Judge - **Heard October 18, 2017** – Filed October 25, 2017. Julius Holman Hines and Tara C. Sullivan, both of K&L Gates LLP, of Charleston, and Edward S. McCallum, III, of Law Offices of Edward S. McCallum, III, of Greenwood, for Petitioner. Scarlet Bell Moore, of Greenville, for Respondent. **PER CURIAM:** We granted Mattie Walls' petition for a writ of certiorari to review the court of appeals' decision in *South Carolina Department of Social Services v. Mattie Walls*, No. 2016-UP-483 (S.C. Ct. App. Nov. 16, 2016). **We now dismiss the writ as improvidently granted.** [1] BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur. ([1] Although we dismiss certiorari as improvidently granted, we note that we have reviewed the record de novo and find the grounds for terminating Petitioner's parental rights are supported by clear and convincing evidence.)

**Cv-Memorandum Opinion No. 2017-MO-020** - U.S. Bank National Association Successor trustee to LaSalle Bank

National Association, as trustee under the Pooling and Servicing Agreement, dated as of April 1, 2002, among Asset Backed Funding Corporation, Litton Loan Servicing, LP and LaSalle Bank National Association, ABFC Asset Backed Certificates, Series 2002-SB-1, Respondent, v. Kelley Burr, FIA Card Services, N.A.; Discovery Bank, Issuer of the Discover Card; Unifund CCR Partners, Defendants, of whom Kelley Burr is the Petitioner. **Appellate Case No. 2015-001554 CERTIORARI TO THE COURT OF APPEALS** - Kershaw County - George C. James Jr., Circuit Judge - **Heard September 27, 2017** - Filed October 25, 2017. Andrew Sims Radeker, of Harrison & Radeker, P.A., of Columbia, for Petitioner. Jennifer Hess Thiem and Tara C. Sullivan, both of K&L Gates LLP, of Charleston, for Respondent. **PER CURIAM:** We granted Kelley Burr's petition for a writ of certiorari to review the court of appeals' decision affirming the circuit court's dismissal of her counterclaims. **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW, JJ., and Acting Justice D. Craig Brown concur.

**Cv-Memorandum Opinion No. 2018-MO-001** - Long Grove at Seaside Farms, LLC; The Beach Company; and Gulfstream Construction Company, Inc., Respondents, v. Long Grove Property Owners' Association, Inc.; Vista Realty Partners, LLC; and Long Grove Vista, LLC; of whom Long Grove Property Owners' Association, Inc. is Petitioner. Long Grove Property Owners' Association, Inc., Third-Party Plaintiffs, v. James, Harwick & Partners, Inc., n/k/a JHP Architecture/Urban Design, P.C.; Sam Mayo, d/b/a SCM Construction, Inc.; Essex Engineering Corporation, Third-Party Defendants, of whom James, Harwick & Partners, Inc., n/k/a JHP Architecture/Urban Design, P.C., is Respondent. **Appellate Case No. 2015-002131 CERTIORARI TO THE COURT OF APPEALS** - Charleston County - J. Michael Baxley, Circuit Judge - **Heard September 28, 2017** - Filed January 10, 2018. George E. Mullen and Lauren Mullen Thomas, both of Mullen Wylie, LLC, of Hilton Head Island, for Petitioner. David J. Parrish and Steven P. Groves, Sr., both of Nexsen Pruet, LLC, of Charleston. James Lynn Werner and Katon E. Dawson, Jr., both of Parker Poe Adams & Bernstein, LLP, of Columbia, for Respondents. **PER CURIAM:** We granted Long Grove Property Owners' Association, Inc.'s petition for a writ of certiorari to review the court of appeals' decision in *Long Grove at Seaside Farms, LLC v. Long Grove Prop. Owners' Ass'n, Inc.*, No. 2015-UP-377 (S.C. Ct. App. July 29, 2015). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Unpublished Opinion No. 2018-MO-020** - *The State, Respondent, v. Demetrice Roosevelt James*. **Appellate Case No. 2017-000700 CERTIORARI TO THE COURT OF APPEALS** - Richland County - John C. Hayes, III, Circuit Judge - **Heard May 3, 2018** - Filed May 23, 2018. Appellate Defender Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan Wilson, Assistant Attorney General V. Henry Gunter, Jr., and Solicitor Daniel E. Johnson, all of Columbia, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the decision of the Court of Appeals in *State v. James*, Op. No. 2017-UP-028 (S.C. Ct. App. filed Jan. 11, 2017). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**FC-Memorandum Opinion No. 2018-MO-021** - Gene Gibbs, Respondent, v. Jill Roberts Gibbs. **Appellate Case No. 2017-000470 CERTIORARI TO THE COURT OF APPEALS** - Greenville County - **Gwendlyne Y. Jones, Family Court Judge** - **Heard May 24, 2018** - Filed May 30, 2018. J. Falkner Wilkes, of Greenville, for Petitioner Bobby H. Mann, Jr., and Philip J. Temple, both of Temple and Mann, of Greenville, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the court of appeals' decision in *Gene Gibbs v. Jill Gibbs*, No. 2016-UP-454 (S.C. Ct. App. filed Nov. 9, 2016). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Memorandum Opinion No. 2018-MO-022** - *The State, Respondent, v. James Kevin Bethel, Jr.* **Appellate Case No. 2017-000096 CERTIORARI TO THE COURT OF APPEALS** - Richland County - Deadra L. Jefferson, Circuit Judge - **Heard May 23, 2018** - Filed May 30, 2018. Appellate Defender David Alexander, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Deputy Attorney General Donald J. Zelenka, Senior Assistant Attorney General Melody Jane Brown, Assistant Attorney General Alphonso Simon, Jr., and Solicitor Daniel Edward Johnson, all of Columbia, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the decision of the court of appeals in *State v. Bethel*, Op. No. 2016-UP-473 (S.C. Ct. App. filed Nov. 9, 2016). **We now dismiss the writ as improvidently granted.** Acting Chief Justice, HEARN, FEW, JAMES, JJ., and Acting Justice James E. Lockemy, concur.

**Cv-Memorandum Opinion No. 2018-MO-024** - Juan Michael Ramirez, Petitioner, v. Progressive Northern Insurance Company. **Appellate Case No. 2016-002312 CERTIORARI TO THE COURT OF APPEALS** - Laurens County - R. Lawton McIntosh, Circuit Judge - **Heard May 24, 2018** - Filed June 6, 2018. Edwin L. Turnage, of Harris & Graves, PA, of Greenville, for Petitioner. John R. Murphy, of Murphy & Grantland, PA, of Columbia, for Respondent. **PER CURIAM:** We granted Juan Ramirez's petition for a writ of certiorari to review the decision of the Court of Appeals in *Ramirez v. Progressive N. Ins. Co.*, Op. No. 2016-UP-280 (S.C. Ct. App. filed June 8, 2016). **We now dismiss the writ as improvidently granted.** BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.

**Memorandum Opinion No. 2018-MO-031** - *Tommy S. Adams, Petitioner, v. State of South Carolina*. **Appellate Case No. 2017-000739 CERTIORARI TO THE COURT OF APPEALS** - Edgefield County - William P. Keesley, Circuit Judge

- **Heard September 19, 2018** – Filed September 26, 2018 Amended October 3, 2018. *E. Charles Grose, Jr., of Greenwood, and Teresa L. Norris, of Charleston, both for Petitioner. Attorney General Alan McCrory Wilson, Senior Assistant Attorney General Melody Jane Brown, and Deputy Attorney General Donald J. Zelenka, all of Columbia, for Respondent. PER CURIAM: We issued a writ of certiorari to review the court of appeals' decision in Adams v. State, No. 2016-UP-515 (S.C. Ct. App. filed Dec. 14, 2016). We now dismiss the writ as improvidently granted. BEATTY, C.J., KITTREDGE, HEARN, JAMES, JJ., and Acting Justice Paula H. Thomas, concur.*

**Memorandum Opinion No. 2018-MO-032** - The State, Respondent, v. Corey Jamal Williams. Appellate Case No. 2016-002547 CERTIORARI TO THE COURT OF APPEALS - York County - Brian M. Gibbons, Circuit Judge - **Heard September 19, 2018** – Filed September 26, 2018. Appellate Defender David Alexander, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Senior Assistant Deputy Attorney General John Benjamin Aplin, both of Columbia and Solicitor Kevin Scott Brackett, of York; for Respondent. **PER CURIAM:** We granted Corey Jamal Williams's petition for a writ of certiorari to review the decision of the court of appeals reversing his sentence of home detention. *State v. Williams*, Op. No. 2016-UP-448 (S.C. Ct. App. filed November 2, 2016). **We now dismiss the writ as improvidently granted. BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-35** - The State, Petitioner, v. Jimmy Turner. Appellate Case No. 2016-002204 CERTIORARI TO THE COURT OF APPEALS - Marion County - William H. Seals, Jr., Circuit Judge - **Heard October 17, 2018** – Filed October 24, 2018. Attorney General Alan McCrory Wilson and Senior Assistant Deputy Attorney General John Benjamin Aplin, both of Columbia; and Solicitor Edgar Lewis Clements, III, of Florence, all for Petitioner. Appellate Defender David Alexander, of Columbia, for Respondent. **PER CURIAM:** We granted the State's petition for a writ of certiorari to review the Court of Appeals' decision to reverse Respondent's convictions due to improper bolstering by an expert witness. *State v. Turner*, Op. No. 2016-UP-411 (S.C. Ct. App. filed Sept. 21, 2016). **We now dismiss the writ as improvidently granted. BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-042** - The State, Respondent, v. Michael Edward Gentile. Appellate Case No. 2017-001277 CERTIORARI TO THE COURT OF APPEALS - Dorchester County - Maité Murphy, Circuit Judge - **Heard November 29, 2018** – Filed December 12, 2018. Appellate Defender Kathrine Haggard Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General William Frederick Schumacher IV, both of Columbia; and Solicitor David Michael Pascoe Jr., of Orangeburg, all for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the court of appeals' decision in *State v. Gentile*, Op. No. 2017-UP-108 (S.C. Ct. App. filed Mar. 8, 2017). **We now dismiss the writ as improvidently granted. KITTREDGE, Acting Chief Justice, FEW, JAMES, JJ., and Acting Justices Stephanie Pendarvis McDonald and Aphrodite K. Konduros, concur.**

#### **DIGs after submission to SC S Ct – Published Opinions = 4**

**Opinion No. 24553** - *Davis Adv. Sh. No. 2 - Vernon Davis, Petitioner, v. State* - Colleton County - Larry R. Patterson, Judge - **Submitted November 21, 1996** - Filed January 20, 1997. Assistant Appellate Defender Robert M. Pachak, of South Carolina Office of Appellate Defense, of Columbia, for Petitioner. Attorney General Charles Molony Condon, Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Teresa Nesbitt Cosby, Assistant Attorney General G. Robert DeLoach, III, all of Columbia, for Respondent. **PER CURIAM:** After a review of the entire record, **we dismiss the writ of certiorari as improvidently granted.**

**Opinion No. 24716** - *Stephen Lamont Westbrook, Petitioner, v. State of South Carolina. York County* - E.C. Burnett, III, **Post-Conviction Judge** - John C. Hayes, III, Trial Judge - **Submitted October 22, 1997** - Filed November 17, 1997. Assistant Appellate Defender Lisa G. Echols, of South Carolina Office of Appellate Defense, of Columbia, for petitioner. Attorney General Charles Molony Condon, Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Teresa A. Knox and Assistant Attorney General Matthew M. McGuire, all of Columbia, for respondent. **PER CURIAM: We dismiss the writ of certiorari as improvidently granted. C.J. A.J. A.J. A.J. Burnett, A.J., not participating.**

**FC-Opinion No. 26382** - SCDSS Child Support Enforcement/Cindy Ruff, Plaintiffs, of whom SCDSS Child Support Enforcement is Petitioner, v. Ralph Mangle. **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - **Stephen S. Bartlett, Family Court Judge** - **Submitted September 18, 2007** - Filed September 24, 2007. Stacey L. Kaufman, of South Carolina Department of Social Services Child Support Enforcement Division, of Greenville, for petitioner. **Mr. Ralph Mangle, of Simpsonville, pro se. PER CURIAM:** We granted this petition for a writ of certiorari to review the Court of Appeals' opinion in *SCDSS Child Support Enforcement/Cindy Ruff v. Mangle*, 370 S.C. 226, 633 S.E.2d 903 (Ct. App. 2006). After careful consideration, **we now dismiss certiorari as improvidently granted. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, concur.**

**Cv-Opinion No. 27094** - South Carolina Department of Corrections, Respondent, v. Billy Joe Cartrette - **CERTIORARI TO THE COURT OF APPEALS** - Jasper County - James C. Williams, Jr., Circuit Judge - **Submitted January 26, 2012** - Filed February 22, 2012 - **Billy Joe Cartrette, of Ridgeland, Pro-se Petitioner.** Lake Eric Summers and

Katherine Phillips, both of Malone, Thompson, Summers & Ott, of Columbia, for Respondent. **CHIEF JUSTICE TOAL:** We granted a writ of certiorari to review the court of appeals' decision in South Carolina Department of Corrections v. Cartrette, 387 S.C. 640, 694 S.E.2d 18 (Ct. App. 2010). **We now dismiss the writ as improvidently granted.** **PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

### **DIGs after submission to SC S Ct– Memorandum Opinions = 138**

**Memorandum Opinion No. 2004–MO–001** – Henry L. Knox, Petitioner, v. State of South Carolina. Georgetown County – J. Michael Baxley, Circuit Judge – **Submitted November 19, 2003** – Filed January 12, 2004. Katherine Carruth Link, and S.C. Office of Appellate Defense, of Columbia, for petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Chief, Capital and Collateral Litigation Donald J. Zelenka, Assistant Deputy Attorney General Allen Bullard, and Assistant Attorney General Douglas E. Leadbitter, of Columbia, for respondent. **PER CURIAM:** After careful consideration, we dismiss the writ of certiorari as improvidently granted. See Moultrie v. State, 351 S.C. 270, 569 S.E.2d 363 (2002) (no relief where there is no prejudice because charge on lesser not merited); State v. Higgins, 215 S.C. 153, 54 S.E.2d 553 (1949) (charge proper where no reference to disputed fact except in a hypothetical way). s/Jean H. Toal C.J./James E. Moore J. s/John H. Waller, Jr. J. s/E. C. Burnett, III J./Costa M. Pleicones J.

**Memorandum Opinion No. 2004–MO–002** – Ivelaw P. Jones, Respondent, v. State of South Carolina. Dorchester County – Luke Brown, Jr., Trial Judge – R. Markley Dennis, Jr., Post-Conviction Judge – **Submitted December 4, 2003** – Filed January 15, 2004. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Chief, Capital and Collateral Litigation, Donald J. Zelenka, Assistant Deputy Attorney General B. Allen Bullard, Jr., Assistant Attorney General David A. Spencer, all of Columbia, for Petitioners. Assistant Appellate Defender Robert M. Pachak, of Columbia, for Respondents. **PER CURIAM:** This Court granted certiorari to review the granting of post-conviction relief for Respondent. After careful consideration, we dismiss certiorari as improvidently granted. s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E. C. Burnett, III J. s/Costa M. Pleicones J.

**Memorandum Opinion No. 2004–MO–014** – Anthony Hopkins, Petitioner, v. State of South Carolina – Richland County – J. Ernest Kinard, Jr., Circuit Judge – **Submitted March 17, 2004** – Filed April 8, 2004. Robert M. Pachak, of South Carolina Office of Appellate Defense, of Columbia, for petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General B. Allen Bullard, and Assistant Attorney General David Spencer, all of Columbia, for respondent. **PER CURIAM:** After careful consideration, we dismiss the writ as improvidently granted. See Wolfe v. State, 326 S.C. 158, 485 S.E.2d 367 (1997) (defendant who pleads guilty on advice of counsel must show counsel was ineffective). **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2004–MO–018** – Ricky Ruth, Respondent, v. State of South Carolina – Hampton County – Rodney A. Peeples, Trial Judge – Jackson V. Gregory, Post-Conviction Judge – **Submitted March 17, 2004** – Filed April 15, 2004. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Chief Capital and Collateral Litigation Donald J. Zelenka, Assistant Deputy Attorney General Allen Bullard, and Assistant Attorney General Douglas E. Leadbitter, Office of the Attorney General, all of Columbia, for Petitioner. Assistant Appellate Defender Aileen P. Clare, Office of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, we dismiss the writ of certiorari as improvidently granted. s/Jean H. Toal C.J. s/James E. Moore J. s/John H. Waller, Jr. J. s/E. C. Burnett, III J. s/Costa M. Pleicones J.

**Memorandum Opinion No. 2004–MO–039** – Maurice Long, Petitioner, v. State of South Carolina – Saluda County – James W. Johnson, Jr., Trial Judge – James R. Barber, III, Post-Conviction Judge – **Submitted June 23, 2004** – Filed July 26, 2004. Assistant Appellate Defender Eleanor Duffy Cleary, of Columbia, for petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of petitioner's application for Post-Conviction Relief. **We dismiss the writ as improvidently granted.** **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2004–MO–043** – Walter Ray Brown, Petitioner, v. State of South Carolina. Charleston County – Lee S. Alford, Trial Judge – Deadra L. Jefferson, Post-Conviction Relief Judge – **Submitted January 22, 2004** – Filed August 9, 2004. Tara Dawn Shurling, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Deputy Attorney General Donald J. Zelenka, all of Columbia, for Respondent. **PER CURIAM:** Walter Brown (petitioner) asserts that his trial counsel (counsel) was ineffective for failing to adequately challenge the testimony of the State's primary witness during petitioner's trial for attempted first-degree burglary. After a full review of the record on appeal, we dismiss certiorari as improvidently granted. **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2004–MO–045** – Heyward Branham, Petitioner, v. State of South Carolina, Respondent. Darlington County – John H. Waller, Jr., Trial Judge – J. Ernest Kinard, Jr., Post-Conviction Judge – **Submitted May 13, 2004** – Filed August 16, 2004. Assistant Appellate Defender Aileen P. Clare, Office of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry D. McMaster, Chief Deputy Attorney General John W. McIntosh, Chief, Capital & Collateral Litigation Donald

*J. Zelenka, Assistant Deputy Attorney General Allen Bullard, and Assistant Attorney General David Spencer, Office of the Attorney General, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, we dismiss the writ of certiorari as improvidently granted. s/Jean H. Toal C.J. s/James E. Moore J. s/E. C. Burnett, III J. s/Costa M. Pleicones J. WALLER, J., not participating.*

**Memorandum Opinion No. 2004-MO-052** - Gail L. Pitts, Petitioner, v. State of South Carolina. Newberry County - Wyatt T. Saunders, Jr, Circuit Judge - **Submitted September 23, 2004** - Filed September 27, 2004. Acting Deputy Chief Attorney Wanda P. Hagler, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh; Chief, Capital and Collateral Litigation Donald J. Zelenka, Assistant Deputy Attorney General B. Allen Bullard, Jr., and Assistant Attorney General David Spencer, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of petitioner's application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2004-MO-054** - Theodore Bailey, Petitioner, v. State of South Carolina - Dorchester County - Rodney A. Peebles, Post-Conviction Judge - Jackson Gregory, Trial Judge - **Submitted September 23, 2004** - Filed October 11, 2004. Assistant Appellate Defender Robert M. Pachak, Office of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Assistant Attorney General Elizabeth McMahon, Office of the Attorney General, all of Columbia, for Respondent. **PER CURIAM:** After careful review of the Appendix and Briefs, **we dismiss the writ of certiorari as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2004-MO-066** - Matthew S. Harris, Petitioner, v. State of South Carolina. Lexington County - William P. Keesley, Trial Judge - James R. Barber, III, PCR Judge - **Submitted October 20, 2004** - Filed November 22, 2004. Assistant Appellate Defender Aileen P. Clare, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Elizabeth R. McMahon, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief. After careful review of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-010** - Morris Sullivan, Respondent, v. State of South Carolina - Greenville County - John W. Kittredge, Circuit Judge - **Submitted February 16, 2005** - Filed February 28, 2005. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Chief, Capital and Collateral Litigation Salley W. Elliott, Assistant Attorney General Elizabeth R. McMahon, of Columbia, for Petitioner. Dwight Christopher Moore, of Sumter and South Carolina Office of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the **grant of post-conviction relief** to respondent. **We now dismiss the writ as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-015** - Christopher L. Pettit, Petitioner, v. State of South Carolina. Lexington County - James R. Barber, III, Circuit Judge - **Submitted April 20, 2005** - Filed May 9, 2005. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Lakesha W. Jeffries, all of Columbia for Respondent. Assistant Appellate Defender Tara S. Taggart, of Office of Appellate Defense, of Columbia, for Petitioner. **PER CURIAM:** We granted a writ of certiorari to review the denial of Post-Conviction Relief to Petitioner Christopher Pettit. **We now dismiss the writ as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-018** - Jeffrey Flowers, Petitioner, v. State of South Carolina. - Greenville County - John W. Kittredge, Guilty Plea Judge - Henry F. Floyd, Post-Conviction Judge - **Submitted April 20, 2005** - Filed May 9, 2005. Assistant Appellate Defender Eleanor Duffy Cleary, of Columbia, for Petitioner. Attorney General Henry D. McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Christopher L. Newton, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-034** - Travis Dewayne Johnson, #265617, Petitioner, v. State of South Carolina. Marlboro County - John M. Milling, Circuit Judge - **Submitted May 18, 2005** - Filed June 20, 2005. Assistant Appellate Defender Tara S. Taggart, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the post-conviction judge's order denying relief as to one of Petitioner's indictments. **After careful review, we now dismiss that writ as improvidently granted. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-035** - Samuel Keith Jackson, Petitioner, v. State of South Carolina, - Florence County - Joseph J. Watson, Trial Judge - J. Michael Baxley, Post-Conviction Judge - **Submitted June 2, 2005** - Filed June 20, 2005. Assistant Appellate Defender Robert M. Pachak, of Office of Appellate Defense, of Columbia, for Petitioner.

Attorney General Henry D. McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Julie M. Thames, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED**. **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-039** - John K. Moore, Petitioner, v. State of South Carolina. Richland County - Howard P. King, Circuit Judge - **Submitted August 11, 2005** - Filed August 15, 2005. Assistant Appellate Defender Eleanor Duffy Clearly, of the Office of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry D. McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General David Spencer, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the denial of petitioner's application for post-conviction relief. **After careful consideration, we dismiss certiorari as improvidently granted.** **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2005-MO-048** - William D. Taylor, Petitioner, v. State of South Carolina. Dorchester County - Rodney A. Peebles, Circuit Judge - **Submitted September 22, 2005** - Filed October 10, 2005. Assistant Appellate Defender Robert M. Pachak, of the Office of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Elizabeth R. McMahon, all of Columbia for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Post-Conviction Relief to Petitioner William D. Taylor. **We now dismiss the writ as improvidently granted.** **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2006-MO-003** - Barry Wayne Whitehead, Petitioner, v. State of South Carolina - Greenville County - Wyatt T. Saunders, Plea Judge - Edward W. Miller, Post-Conviction Judge - **Submitted January 5, 2006** - Filed January 23, 2006. Assistant Appellate Defender Eleanor Duffy Clearly, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Christopher Newton, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of post-conviction relief (PCR) to Petitioner. **We dismiss the writ as improvidently granted.** **TOAL, C.J., MOORE, BURNETT and PLEICONES, JJ., concur. WALLER, J., not participating.**

**Memorandum Opinion No. 2006-MO-046** - Tina Michelle Walker, Respondent, v. State of South Carolina - York County - Lee S. Alford, Post-Conviction Judge - John C. Hayes, III, Trial Judge - **Submitted November 15, 2006** - Filed December 11, 2006. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Molly R. Crum, Office of the Attorney General, all of Columbia, for Petitioner. Appellate Defender Robert M. Pachak, South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** After careful review of the Appendix and briefs, we **Dismiss Certiorari as Improvidently Granted.** **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2007-MO-003** - Quentin L. Smith, Petitioner, v. State of South Carolina - Greenwood County - James W. Johnson, Jr., Circuit Court Judge - Wyatt T. Saunders, Jr., Post-Conviction Judge - **Submitted December 7, 2006** - Filed January 16, 2007. C. Rauch Wise, of Greenwood, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of post-conviction relief (PCR) to Petitioner. **We dismiss the writ as improvidently granted.** **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2007-MO-007** - Jeffrey L. Edwards, Petitioner, v. State of South Carolina - Dillon County - John M. Milling, Circuit Judge - **Submitted January 18, 2007** - Filed February 5, 2007. Appellate Defender Eleanor Duffy Clearly, of Columbia, for petitioner. Attorney General Henry D. McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Karen C. Ratigan, all of Columbia, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the circuit court's order denying petitioner's post-conviction relief application. **After careful consideration, we now dismiss certiorari as improvidently granted.** **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Cv-Memorandum Opinion No. 2007-MO-013** - Ephraim Reliford, Jr., Petitioner, v. Mitsubishi Motors Credit of America, Inc. **CERTIORARI TO THE COURT OF APPEALS** - Aiken County - Rodney A. Peebles, Circuit Judge - **Submitted February 14, 2007** - Filed March 5, 2007. Ephraim Reliford, Jr., of Kershaw, *pro se*. Andrew F. Lindemann, of Davidson Morrison & Lindemann, of Columbia, for Respondent. **PER CURIAM:** We dismiss the writ of certiorari as improvidently granted. **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2007-MO-026** - Calvin M. Williams, Petitioner v. State of South Carolina - Greenwood County - Wyatt T. Saunders, Jr, Circuit Judge - **Submitted April 18, 2007** - Filed April 30, 2007. George P. Callison, Jr., of Greenwood, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction

*relief court's denial of relief to petitioner, Calvin M. Williams. After careful consideration, we now dismiss certiorari as improvidently granted. TOAL, C.J., WALLER, BURNETT and PLEICONES, JJ., concur. MOORE, J., not participating.*

**Memorandum Opinion No. 2007-MO-032** - Keith Bratcher, Petitioner, v. State of South Carolina - Greenwood County - Wyatt T. Saunders, Jr., Circuit Judge - **Submitted May 22, 2007** - Filed June 4, 2007. Deputy Chief Attorney Wanda H. Carter, of the South Carolina Commission of Appellate Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's denial of relief to petitioner, Keith Bratcher. After careful consideration, we now dismiss certiorari as improvidently granted. **TOAL, C.J., BURNETT, PLEICONES, JJ., and Acting Justice J. Michelle Childs, concur. MOORE, J., not participating.**

**Memorandum Opinion No. 2007-MO-035** - Tomerio Williams, Petitioner, v. State of South Carolina - Williamsburg County - Howard P. King, Post-Conviction Judge - James Williams, Trial Judge - **Submitted May 23, 2007** - Filed June 11, 2007. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Lance S. Boozer, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, BURNETT and PLEICONES, JJ., concur. WALLER, J., not participating.**

**Memorandum Opinion No. 2007-MO-041** - Dana Tolen, **Respondent**, v. State of South Carolina - **CERTIORARI TO THE COURT OF APPEALS**- Lexington County - Marc H. Westbrook, Circuit Court Judge - **Submitted June 20, 2007** - Filed June 25, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Petitioner. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted the State's petition for a writ of certiorari to review an order granting post-conviction relief to respondent, Dana Tolen. We dismiss the writ as improvidently granted. **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2007-MO-045** - Steven B. Guy, Petitioner, v. State of South Carolina - Greenville County - John C. Few, Circuit Court Judge - **Submitted June 20, 2007** - Filed June 25, 2007. Deputy Chief Attorney Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** After thorough consideration of the appendix and briefs, we **DISMISS CERTIORARI AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Opinion No. 2007-MO-048** - Ernest Bolin, **Respondent**, v. State of South Carolina - Richland County - Alison Renee Lee, Circuit Judge - **Submitted June 20, 2007** - July 9, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Robert L. Brown, all of Columbia, for petitioner. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the post-conviction relief court's decision. After careful consideration, we now dismiss certiorari as improvidently granted. **TOAL, C.J., MOORE, WALLER, BURNETT and PLEICONES, JJ., concur.**

**Memorandum Opinion No. 2007-MO-056** - William Gist, Petitioner, v. State of South Carolina - Union County - Lee S. Alford, Circuit Judge - **Submitted September 18, 2007** - Filed September 24, 2007. Deputy Chief Attorney Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Ashley A. McMahan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2007-MO-061** - Barrett Bernard Bowen, **Respondent**, v. State of South Carolina - Pickens County - Larry R. Patterson, Circuit Court Judge - **Submitted October 18, 2007** - Filed October 22, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Karen Ratigan, all of Columbia, for Petitioner. Deputy Chief Attorney Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the grant of post-conviction relief to Petitioner. We now dismiss the writ as improvidently granted. **TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2007-MO-062** - Ajaron Gamble, Petitioner, v. State of South Carolina - Georgetown County - John L. Breeden, Circuit Judge - B. Hicks Harwell, Circuit Judge - **Submitted October 18, 2007** - Filed November 5, 2007. Assistant Appellate Defender Aileen P. Clare, of the South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia,

for petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Sabrina C. Todd, of Columbia, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the circuit court's order denying petitioner's post-conviction relief application. After careful consideration, **we now dismiss certiorari as improvidently granted. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2007-MO-063** - **Tyrone Lamont Simpson, Respondent, v. State of South Carolina**- York County - John C. Hayes, Jr., Trial Judge - Lee S. Alford, Post-Conviction Judge - **Submitted October 18, 2007** - Filed November 5, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Molly R. Crum, all of Columbia, for Petitioner. Debra Yvonne Chapman, and Joshua Kendrick, both of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2007-MO-068** - **James L. Heyward, Respondent/Petitioner, v. State of South Carolina, Petitioner/Respondent**. Berkeley County - Daniel F. Pieper, Circuit Judge - **Submitted November 15, 2007** - Filed December 10, 2007. Deputy Chief Attorney for Capital Appeals Robert M. Dudek, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, Columbia, for Respondent/Petitioner. Attorney General Henry D. McMaster, Chief Deputy Attorney General John W. McIntosh, and Assistant Deputy Attorney General Donald J. Zelenka, all of Columbia, for Petitioner/Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **both writs of certiorari are DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2007-MO-069** - **Raymond Anthony Hall, Respondent, v. State of South Carolina** - Spartanburg County - Roger L. Couch, Post-Conviction Judge - Gary E. Clary, Trial Judge - **Submitted December 6, 2007** - Filed December 10, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Molly Crum, all of Columbia, for Petitioner. J. Falkner Wilkes, of Greenville, for Respondent. **PER CURIAM:** After careful review of the Appendix and briefs, **we DISMISS CERTIORARI AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER and PLEICONES, JJ., concur. BEATTY, J., not participating.**

**Memorandum Opinion No. 2007-MO-070** - **Michael J. Davis, Respondent, v. State of South Carolina** - Laurens County - Wyatt T. Saunders, Jr, Circuit Judge - **Submitted November 15, 2007** - Filed December 17, 2007. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Julie Thames, all of Columbia, for Petitioner. John A. O'Leary, of O'Leary & Associates, P.A, of Columbia, for Respondents. **PER CURIAM:** We granted the state's petition for a writ of certiorari to review **the grant of Post-Conviction Relief (PCR)** to Respondent, Michael J. Davis. **We dismiss the writ as improvidently granted. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2007-MO-073** - Edward Burton, Petitioner, v. State of South Carolina - Abbeville County - James E. Lockemy, Circuit Judge - **Submitted December 6, 2007** - Filed December 17, 2007. Assistant Appellate Defender Aileen P. Clare, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's denial of relief to petitioner. **We now dismiss the writ as improvidently granted. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2008-MO-004** - Terrence Mitchell, Petitioner, v. State of South Carolina - Richland County - G. Thomas Cooper, Jr., Circuit Judge - **Memorandum Opinion No. 2008-MO-004 - Submitted November 15, 2007** - Filed January 14, 2008. Deputy Chief Attorney Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Ashley A. McMahan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2008-MO-005** - Marcus Fashaw, Petitioner, v. State of South Carolina - Chesterfield County - B. Hicks Harwell, Jr., Circuit Judge - **Submitted January 23, 2008** - Filed January 28, 2008. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.**

**Memorandum Opinion No. 2008-MO-011** - **Anthony Derrick, Respondent, v. State of South Carolina**. Cherokee County - J. Mark Hayes, II, Circuit Judge - **Submitted January 23, 2008** - Filed February 25, 2008. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Molly Crum, of Columbia, for Petitioner. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a

writ of certiorari to review **the grant of post-conviction relief** to Respondent, Anthony Derrick. **We now dismiss the writ as improvidently granted.** TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.

**Memorandum Opinion No. 2008-MO-019 - Trentius Tucker, Respondent, v. State of South Carolina** - Richland County - Thomas W. Cooper, Jr., Circuit Judge - **Submitted April 1, 2008** - Filed April 7, 2008. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Brian Petrano, of Columbia, for Petitioner. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.

**Memorandum Opinion No. 2008-MO-022 - Jerome Primus, Petitioner, v. State of South Carolina** - Berkeley County - Perry M. Buckner, Circuit Judge - **Submitted April 16, 2008** - Filed May 12, 2008. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, and Assistant Deputy Attorney General Salley W. Elliott, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., MOORE, WALLER and PLEICONES, JJ., concur. BEATTY, J., not participating.

**Opinion No. 2008-MO-032 - Gary J. Long, Jr., Petitioner, v. State of South Carolina** - Sumter County - Thomas W. Cooper, Jr., Circuit Judge - **Submitted June 26, 2008** - Filed July 14, 2008. Keir M. Weyble, of Blume Weyble & Norris, LLC, of Columbia, for petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Lance S. Boozer, of Columbia, for respondent. **PER CURIAM:** We granted this petition for a writ of certiorari to review the circuit court's order denying petitioner's post-conviction relief application. After careful consideration, **we now dismiss certiorari as improvidently granted.** TOAL, C.J., MOORE, WALLER and PLEICONES, JJ., concur. BEATTY, J., not participating.

**Memorandum Opinion No. 2008-MO-040 - Thomas Lee Coleman, Respondent, v. State of South Carolina** - Jasper County - John C. Few, Circuit Judge - **Submitted September 18, 2008** - Filed September 22, 2008. Attorney General Henry Dargan McMaster, Chief Deputy John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Matthew J. Friedman, all of Columbia, for Petitioner. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2008-MO-042 - Edward N. Dawson, Respondent, v. State of South Carolina** - Charleston County - Roger M. Young, Circuit Judge - **Submitted October 22, 2008** - Filed October 27, 2008. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Matthew J. Friedman, Office of the Attorney General, of Columbia, for Petitioner. Deputy Chief Appellate Defender Wanda H. Carter, South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES and BEATTY, JJ., concur. KITTREDGE, J., not participating.

**Memorandum Opinion No. 2008-MO-043 - James Bledsoe, Petitioner, v. State of South Carolina** - Lexington County - Marc E. Westbrook, Circuit Judge - L. Casey Manning, Post-Conviction Judge - **Submitted October 22, 2008** - Filed October 27, 2008. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley E. Elliott, and Assistant Attorney General Daniel E. Grigg, all of Columbia, for Respondent. **PER CURIAM:** After careful review of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2008-MO-046 - Antwain D. Ellis, Respondent, v. State of South Carolina** - Richland County - L. Casey Manning, Circuit Judge - **Submitted November 19, 2008** - November 24, 2008. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General David Spencer, all of Columbia, for Petitioner. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review **the grant of post-conviction relief (PCR) to Respondent, Antwain Ellis. We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, BEATTY and KITTREDGE, JJ., concur. PLEICONES, J., not participating.

**Memorandum Opinion No. 2008-MO-051 - Charles M. Stuckey, Jr., Petitioner, v. State of South Carolina.** Marlboro County - John M. Milling, Circuit Judge - **Submitted December 4, 2008** - Filed December 8, 2008. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy

Attorney General Salley W. Elliott, Assistant Attorney General Karen Ratigan, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-001** - Radrick Q. Hill, Petitioner, v. State of South Carolina - Greenwood County - Wyatt T. Saunders, Jr, Circuit Judge - **Submitted November 19, 2008** - Filed January 12, 2009. C. Rauch Wise, of Greenwood, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Julie M. Thames, all of Columbia, for Respondent. **PER CURIAM:** After careful review of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-003** - Sheridan T. Littlejohn, **Respondent-Petitioner**, v. State of South Carolina, **Petitioner-Respondent**. - Greenville County - James E. Lockemy, Circuit Judge - **Submitted January 22, 2009** - Filed January 26, 2009. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Karen C. Ratigan, all of Office of the Attorney General, of Columbia, for Petitioner-Respondent. Kenneth Clifton Gibson, of Greenville, for Respondent-Petitioner. **PER CURIAM:** After careful consideration of the Appendix and briefs, **both writs of certiorari are DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-004** - Benjamin Huggins, Petitioner, v. State of South Carolina. Kershaw County - L. Casey Manning, Circuit Judge - **Submitted January 22, 2009** - Filed January 26, 2009. Tricia A. Blanchette, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Brian T. Petrano, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's denial of relief to petitioner. **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-005** - Ervin Maurice Gadsden, **Respondent**, v. State of South Carolina, - Charleston County - William P. Keesley, Circuit Judge - **Submitted November 19, 2008** - Filed January 26, 2009. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General S. Prentiss Counts, all of Columbia, for Petitioner. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the PCR judge's ruling. After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, BEATTY and KITTREDGE, JJ., concur. PLEICONES, J., not participating.

**Opinion No. 2009-MO-006** - Ronnie Harris, Petitioner, v. State of South Carolina - Greenville County - John C. Few, Circuit Judge - **Submitted January 22, 2009** - Filed February 9, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief court's order denying relief to Petitioner. After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-009** - James Oxendine, Petitioner, v. State of South Carolina - Richland County - James R. Barber, III, Circuit Judge - **Submitted February 19, 2009** - Filed February 23, 2009. Deputy Chief Appellate Defender Wanda H. Carter, South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley E. Elliott, Assistant Attorney General Brian T. Petrano, of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-010** - Byron Spivey, Petitioner, v. State of South Carolina. Spartanburg County - Doyet A. Early, III, Circuit Judge - **Submitted February 19, 2009** - Filed February 23, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Molly R. Crum, of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's denial of relief to petitioner. **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES and KITTREDGE, JJ., concur. BEATTY, J. not participating.

**Opinion No. 2009-MO-011** - Alfonso Staton, Petitioner, v. State of South Carolina - Marlboro County - John M. Milling, Post-Conviction Judge - **Submitted February 19, 2009** - Filed February 23, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney

General Salley W. Elliott, and Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2009-MO-014** - Leroy Staton, Petitioner, v. State of South Carolina - Marlboro County - Paul M. Burch, Post-Conviction Judge - **Submitted March 18, 2009** - Filed March 23, 2009. Chief Appellate Defender Joseph L. Savitz, III, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2009-MO-016** - Adongo Johnson, Petitioner, v. State of South Carolina - Charleston County - William P. Keesley, Post-Conviction Judge - **Submitted March 18, 2009** - Filed April 13, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Matthew J. Friedman, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for Post-Conviction Relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Opinion No. 2009-MO-021** - Ron G. Taylor, **Respondent**, v. State of South Carolina - Lee County - Howard P. King, Circuit Judge - **Submitted April 22, 2009** - Filed April 27, 2009. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Lance S. Boozar, all of Columbia, for Petitioner. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, of Columbia, for Respondent. **PER CURIAM:** Respondent Ron G. Taylor was granted post-conviction relief by the lower court. We granted the State's petition for a writ of certiorari. After a careful review of the record, appendix, and briefs, **the writ is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2009-MO-023** - William D. Tanks, Petitioner, v. State of South Carolina. Lexington County - Clyde N. Davis, Jr., Circuit Judge - **Submitted April 22, 2009** - May 26, 2009. Appellate Defender M. Celia Robinson, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2009-MO-026** - Charles Smith, Petitioner, v. State of South Carolina - Richland County - Alison Renee Lee, Circuit Court Judge - **Submitted May 28, 2009** - Filed June 1, 2009. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Chief Attorney General Salley Elliott, Assistant Attorney General Brian T. Petrano, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2009-MO-031** - Tommy Riley, Petitioner, v. State of South Carolina - Richland County - James R. Barber, Circuit Judge - **Submitted May 28, 2009** - Filed June 22, 2009. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley Elliott, and Assistant Attorney General Brian T. Petrano, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's denial of relief to petitioner, Tommy Riley. After careful consideration, **we now dismiss certiorari as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.**

**Memorandum Opinion No. 2009-MO-038** - Stacy Raysor, **Respondent**, v. State of South Carolina - Richland County - John C. Hayes, III, Circuit Court Judge - **Submitted June 24, 2009** - Filed July 13, 2009. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Brian T. Petrano, all of Columbia, for Petitioner. Joshua Kendrick, of Columbia, for Respondent. **PER CURIAM:** The Court of Appeals granted certiorari to review the post-conviction relief court's grant of relief to respondent Stacy Raysor. Pursuant to Rule 204(b), SCACR, this Court certified the case for review. **We now dismiss the writ as improvidently granted.** [1] **TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.** [1] We note that respondent was granted summary judgment, and the matter was remanded to the Richland County Court of General Sessions for resentencing. **We clarify that the resentencing shall take place before a judge different from the original judge who presided over respondent's guilty plea.**

**Opinion No. 2009-MO-039** - Cory T. Credell, Petitioner, v. State of South Carolina - Orangeburg County - Lee S. Alford, Circuit Judge - **Submitted June 24, 2009** - Filed July 13, 2009. Deputy Chief Appellate Defender Wanda H.

Carter, of South Carolina Commission on Indigent Defense, of Columbia, and Jeffrey Bloom, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Mary S. Williams, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for Post-Conviction Relief. **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-041** - William James Lillie, Petitioner, v. State of South Carolina - Greenville County - Edward W. Miller, Circuit Judge - **Submitted May 28, 2009** - Filed July 20, 2009. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott and Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for Post-Conviction Relief. **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-048** - Clifton Curtis, Petitioner, v. State of South Carolina - Edgefield County - William P. Keesley, Circuit Judge - **Submitted September 17, 2009** - Filed September 21, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Gregory P. Jones, Jr., all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-050** - Frederick Y. Culp, Petitioner, v. State of South Carolina. York County - G. Edward Welmaker, Circuit Judge - **Submitted September 17, 2009** - Filed September 21, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Ashley A. McMahan, all of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's denial of relief to petitioner. **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Opinion No. 2009-MO-053** - Andy Gilchrist, Petitioner, v. State of South Carolina. Aiken County - Doyet A. Early, III, Post-Conviction Judge - **Submitted September 17, 2009** - Filed October 12, 2009. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Mary S. Williams, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for Post-Conviction Relief. **We now dismiss the writ as improvidently granted.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2009-MO-063** - Deral Lamont Stanley, Petitioner, v. State of South Carolina - Horry County - J. Michael Baxley, Post-Conviction Judge - Edward B. Cottingham, Trial Judge - **Submitted December 2, 2009** - Filed December 7, 2009. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Christina J. Catoe, all of Columbia, for Respondent. **PER CURIAM:** After careful review of the Appendix and Briefs, the writ of certiorari is **DISMISSED AS IMPROVIDENTLY GRANTED.** TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2010-MO-001** - Ernest Sibert, **Respondent**, v. State of South Carolina - Greenville County - James E. Lockemy, Circuit Judge - **Submitted December 2, 2009** - Filed January 11, 2010. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Karen C. Ratigan, all of Columbia, for Petitioner. Deputy Chief Wanda H. Carter, of South Carolina Commission on Indigent Defense, for Respondent. **PER CURIAM:** We granted the state's petition for a writ of certiorari to review the trial court's grant of Post-Conviction Relief (PCR) to Respondent, Ernest Berry Sibert. The PCR court held Sibert was entitled to a new Drug Court termination hearing and a new sentencing on the charge of distribution of crack, 3rd offense. We find the PCR court properly remanded for a new termination hearing and, accordingly, we dismiss the writ of certiorari as improvidently granted. TOAL, C.J., WALLER, PLEICONES, BEATTY and KITTREDGE, JJ., concur.

**Memorandum Opinion No. 2010-MO-005** - Eric Bernard Epps, Petitioner, v. State of South Carolina - Florence County - Michael Nettles, Post-Conviction Judge - **Submitted February 4, 2010** - Filed March 1, 2010. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott,

and Assistant Attorney General Julie M. Thames, all of Columbia, for Respondents. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Opinion No. 2010-MO-018** – Kenneth B. Scott, Jr., Petitioner, v. State of South Carolina – Greenville County – John C. Few, Circuit Court Judge – Alexander S. Macaulay, Circuit Court Judge – **Submitted May 13, 2010** – Filed July 26, 2010. Tara Shurling, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott and Assistant Attorney General Karen C. Ratigan, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief court's order denying relief to Petitioner. After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, KITTREDGE and HEARN, JJ., concur. BEATTY, J., not participating.**

**Memorandum Opinion No. 2010-MO-024** – Gregory Kente' Neely, Petitioner, v. State of South Carolina. Richland County – L. Casey Manning, Circuit Court Judge – **Submitted September 23, 2010** – Filed September 27, 2010. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott and Assistant Attorney General Brian T. Petrano, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-009** – Alvin B. Zellars, Petitioner, v. State of South Carolina. Charleston County – G. Edward Welmaker, Circuit Judge – **Submitted March 16, 2011** – March 21, 2011. Appellate Defender Elizabeth Franklin-Best, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Matthew Friedman, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-010** – Bruce Allen Roddey, Petitioner, v. State of South Carolina – York County – John C. Hayes, III, Circuit Court Judge – **Submitted February 11, 2011** – Filed March 21, 2011. Appellate Defender M. Celia Robinson, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Ashley McMahan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-011** – Framon D. Frasier, Respondent, v. State of South Carolina – Charleston County – R. Markley Dennis, Jr., Circuit Judge – **Submitted February 16, 2011** – Filed March 21, 2011. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Matthew J. Friedman, all of Columbia, for Petitioner. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief court's order granting relief to Petitioner. After careful consideration of the record and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-013** – Joey Johnson, Petitioner, v. State of South Carolina – Anderson County – R. Knox McMahon, Circuit Judge – **Submitted April 20, 2011** – Filed April 25, 2011. Appellate Defender Kathrine H. Hudgins, South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General A. West Lee, Office of the Attorney General, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the circuit court dismissing Johnson's post-conviction relief application and denying him relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-018** – Mikal J. Ruffin, Petitioner, v. State of South Carolina – Cherokee County – Roger L. Couch, Circuit Judge – **Submitted May 25, 2011** – Filed July 11, 2011. Raymond Elston MacKay, of Anderson, for Petitioner. Attorney General Alan Wilson; Chief Deputy Attorney General John W. McIntosh; Assistant Deputy Attorney General Salley W. Elliott; and Assistant Attorney General Suzanne H. White, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief court's order denying relief to Petitioner. After careful consideration of the appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-024** – Staffon Ray, Petitioner, v. State of South Carolina – Richland County – Alison Renee Lee, Circuit Judge – **Submitted September 22, 2011** – Filed September 26, 2011. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson,

Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Brian Petrano, all of Columbia, for Respondent. **PER CURIAM:** Staffon Ray pled guilty to charges of first-degree burglary and petit larceny. He was sentenced to concurrent prison terms of sixteen years for first-degree burglary and thirty days for petit larceny, with credit for time served. No direct appeal was taken. Ray applied for post-conviction relief (PCR), alleging his guilty plea was involuntary and defense counsel was ineffective for failing to properly investigate his case. This Court granted Ray's petition for a writ of certiorari to review a circuit court order denying his PCR application. **We now dismiss the writ of certiorari as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-025** - David Harrell, Jr., Petitioner, v. State of South Carolina - Dorchester County - Diane Schafer Goodstein, Circuit Judge - **Submitted September 22, 2011** - Filed September 26, 2011. Joshua Kendrick, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Mary S. Williams, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-028** - Chavis Obrian Jordan, Petitioner, v. State of South Carolina - Chesterfield County - Paul M. Burch, Post-Conviction Judge - **Submitted October 19, 2011** - Filed October 24, 2011. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Karen Ratigan, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-029** - David Michael Burress, Petitioner, v. State of South Carolina - Greenville County - Edward W. Miller, Circuit Judge - **Submitted October 19, 2011** - Filed October 24, 2011. Appellate Defender LaNelle C. DuRant, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Karen Ratigan, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the circuit court's denial of post-conviction relief for Petitioner. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-031** - Curtis Patterson, Petitioner, v. State of South Carolina - Aiken County - Costa M. Pleicones, Plea Judge - Doyet A. Early, III, Post-Conviction Judge - **Submitted November 16, 2011** - Filed November 21, 2011. Appellate Defender Kathrine H. Hudgins, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Mary S. Williams, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., BEATTY, KITTREDGE and HEARN, JJ., concur. PLEICONES, J., not participating.**

**Memorandum Opinion No. 2011-MO-034** - James Michael Lucas, Petitioner, v. State of South Carolina - Lexington County - R. Markley Dennis, Trial Judge - Diane Schafer Goodstein, Post-Conviction Judge - **Submitted December 1, 2011** - Filed December 5, 2011. Appellate Defender Susan Barber Hackett, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Kaelon E. May, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2011-MO-035** - Cedric Martino, Petitioner, v. State of South Carolina - Colleton County - Michael Nettles, Circuit Judge - **Submitted December 1, 2011** - Filed December 5, 2011. Jeremy Adam Thompson, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Matthew J. Friedman, all of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-012** - Tommy Novack Lloyd, Petitioner, v. State of South Carolina - Richland County - L. Casey Manning, Circuit Judge - **Submitted April 18, 2012** - Filed May 9, 2012. Deputy Chief Appellate Defender Wanda H. Carter, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Brian T. Petrano, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-013** - McKenzie Corey Shelton, Petitioner, v. State of South Carolina - Laurens County - D. Garrison Hill, Circuit Judge - **Submitted April 18, 2012** - Filed May 9, 2012. Appellate Defender Robert M.

*Pachak, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Ashley McMahan, all of Columbia, for Respondent. PER CURIAM: After careful consideration of the Appendix and briefs, the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. PLEICONES, ACTING CHIEF JUSTICE, BEATTY, KITTREDGE and HEARN, JJ., concur. TOAL, C.J., not participating.*

**Memorandum Opinion No. 2012-MO-014** - Derek J. Brown, Petitioner, v. State of South Carolina - Laurens County - D. Garrison Hill, Circuit Judge - **Submitted April 18, 2012** - Filed May 9, 2012. William T. Toal, of Johnson Toal & Battiste, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Ashley McMahan, all of Columbia, for Respondent. **PER CURIAM: After careful consideration of the Appendix and briefs, the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. PLEICONES, ACTING CHIEF JUSTICE, BEATTY, KITTREDGE and HEARN, JJ., concur. TOAL, C.J., not participating.**

**Memorandum Opinion No. 2012-MO-017** - Dana Rikard, Petitioner, v. State of South Carolina - Lexington County - James W. Johnson, Jr., Trial Judge - John M. Milling, Post-Conviction Judge - **Submitted May 23, 2012** - Filed May 30, 2012. Appellate Defender Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Kaelon May, of Columbia, for Respondent. **PER CURIAM: We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Unpublished Opinion No. 2012-MO-022** - Albert Scruggs, Petitioner, v. State of South Carolina. Appellate Case No. 2009-133949 - Richland County - L. Casey Manning, Circuit Judge - **Submitted May 22, 2012** - Filed June 13, 2012. Kathrine Haggard Hudgins, of Columbia, SC, for Petitioner Albert Scruggs. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Brian T. Petrano, all of Columbia, SC, for Respondent State of South Carolina. **PER CURIAM: We granted a writ of certiorari to review the circuit court's denial of Albert Scruggs' application for post-conviction relief. We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-024** - Johnnie Smith, Jr., Petitioner, v. State of South Carolina. Appellate Case No. 2009-133326 - York County - John C. Hayes, III, Circuit Judge - **Submitted May 2, 2012** - Filed June 27, 2012. Wanda H. Carter, of Columbia, for Petitioner Johnnie Smith, Jr. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Ashley Anne McMahan, all of Columbia, for Respondent State of South Carolina. **PER CURIAM: We granted certiorari to review the circuit court's denial of Johnnie Smith's application for post-conviction relief. We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-025** - Clay A. Blake, Petitioner, v. State of South Carolina, Respondent. Appellate Case No. 2010-155846 - Georgetown County Benjamin H. Culbertson, Circuit Court Judge - **Submitted May 2, 2012** - Filed June 27, 2012. Robert Michael Dudek, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Christina J. Catoe, all of Columbia, for Respondent. **PER CURIAM: After careful consideration of the Appendix and briefs, the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-036** - Waymon S. Harbin, Jr., Respondent, v. State of South Carolina. Appellate Case No. 2009-139675 - Anderson County J. Cordell Maddox, Jr., Circuit Court Judge - **Submitted September 20, 2012** - Filed September 26, 2012. Attorney General Alan McCrory Wilson, Senior Assistant Deputy Attorney General Salley W. Elliott, Chief Deputy Attorney General John W. McIntosh, Assistant Attorney General Kaelon Elizabeth May, all of Columbia, for Petitioner State of South Carolina. Bruce A. Byrholdt, of Chapman Byrholdt & Yon, of Anderson, for Respondent. **PER CURIAM: After careful consideration of the Appendix and briefs, the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-038** - Jamul Ratub El, Petitioner, v. State of South Carolina. Appellate Case No. 2009-140686 - York County - Lee S. Alford, Circuit Judge - **Submitted September 20, 2012** - Filed October 10, 2012. Appellate Defender Susan B. Hackett, of South Carolina Commission on Indigent Defense, of Columbia, for Appellant. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General J. Rutledge Johnson, all of Columbia, for Respondent. **PER CURIAM: We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief. We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Cv-Memorandum Opinion No. 2012-MO-044** - Walter Mortgage Company, Respondent, v. Natasha L. Green and Shilon L. Green, Petitioners. Appellate Case No. 2011-189826 - Chesterfield County William O. Spencer, Jr., as Special Referee - **Submitted October 17, 2012** - Filed October 24, 2012. Natasha L. Green and Shilon L. Green, of McBee, pro se, Petitioner. Charles Harry McDonald and Joseph Kershaw Spong, of Robinson McFadden & Moore, of Columbia, for

Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2012-MO-048 - Lamar A. Graves, Petitioner, v. State of South Carolina. Appellate Case No. 2010-168758 - Spartanburg County - J. Mark Hayes, II, Circuit Judge - Submitted October 1, 2012 - Filed November 21, 2012.** Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Suzanne Hollifield White, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the postconviction relief court's decision in Lamar A. Graves, #313160 v. State of South Carolina, 2009-CP-42-3439 (7th Judicial Cir. July 28, 2010). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-002 - Cazario Marshall, Respondent, v. State of South Carolina. Appellate Case No. 2010-161448 - Allendale County - Paul M. Burch, Trial Judge - Perry M. Buckner, Post-Conviction Judge - Submitted January 24, 2013 - Filed February 6, 2013.** Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Suzanne H. White, all of Columbia, for the State. Appellant Defender Kathrine H. Hudgins of Columbia for Respondent. **PER CURIAM:** We granted the State's writ of certiorari to review the grant of Respondent's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-006 - Francis O. Campbell, Petitioner, v. State of South Carolina. Appellate Case No. 2010-170846 - Richland County - Howard Ballenger, Trial Judge - J. Michelle Childs, Post-Conviction Judge - Submitted February 20, 2013 - Filed February 27, 2013.** Wanda H. Carter, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Robert D. Corney, all of Columbia, for the State. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-007 - Eduardo Martinez, Petitioner, v. State of South Carolina. Appellate Case No. 2009-148626 - Charleston County - Kristi Lea Harrington, Circuit Judge - Submitted January 7, 2013 - Filed February 27, 2013.** Kathrine Haggard Hudgins of Columbia for Petitioner. Ashleigh Rayanna Wilson of Columbia for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-026 - Timothy Dion Rogers, Respondent, v. State of South Carolina. Appellate Case No. 2011-182846 - Dorchester County - Diane Schafer Goodstein, Post-Conviction Judge - Submitted September 16, 2013 - Filed September 25, 2013.** Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka and Senior Assistant Attorney General William Edgar Salter, III, of Columbia, for Petitioner. Diana L. Holt, of Columbia, for Respondent. **PER CURIAM:** We granted the State's petition for a writ of certiorari to review the grant of Respondent's application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-027 - Charles Pagan, Petitioner, v. State of South Carolina. Appellate Case No. 2010-154481 - Florence County L. Casey - Manning, Trial Judge - Thomas A. Russo, Post-Conviction Judge - Submitted September 17, 2013 - Filed September 25, 2013.** Robert M. Pachak, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Tyson A. Johnson, all of Columbia, for the State. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-028 - Thomas McCall Jr., Petitioner, v. State of South Carolina. Appellate Case No. 2010-173546 - Florence County - William H. Seals, Jr., Circuit Judge - Submitted September 16, 2013 - Filed September 25, 2013.** Appellate Defender Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Deputy Attorney General David A. Spencer, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the circuit court's dismissal of Thomas McCall's application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2013-MO-030 - Court Braxton Bell, Petitioner, v. The State. Appellate Case No. 2010-178807 - Anderson County - R. Lawton McIntosh, Circuit Judge - Submitted September 17, 2013 - Filed October 9, 2013.** LaNelle Cantey DuRant of Columbia, South Carolina, for Petitioner, Braxton Bell. Attorney General Alan M. Wilson, Assistant Attorney General Walt Whitmire, both of Columbia, South Carolina, for Respondent State of South Carolina. **PER CURIAM:** We granted certiorari to review the post-conviction relief court's decision in Braxton Bell v. State of South Carolina,

2008-CP-04-4101 (10th Judicial Cir. Nov. 10, 2010), denying and dismissing with prejudice Petitioner's application for post-conviction relief and finding that Petitioner did not receive ineffective assistance of counsel. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2014-MO-008** - Ricky Dale Gilstrap, Petitioner, v. State of South Carolina. Appellate Case No. 2011-190808 - Greenville County - Robin B. Stilwell, Post-Conviction Judge - **Submitted January 7, 2014** - Filed March 12, 2014. Appellate Defender Carmen Vaughn Ganjehsani, of South Carolina Commission on Indigent Defense, of Columbia, and Dayne C. Phillips, of Lexington, for Petitioner. Attorney General Alan McCrory Wilson, and Senior Assistant Deputy Attorney General Karen Christine Ratigan, both of Columbia, for Respondent. **PER CURIAM:** We granted Ricky Dale Gilstrap's petition for a writ of certiorari to review the denial of his application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**FC-Opinion No. 2014-MO-013** - Judy B. South, Respondent, v. Brian L. South. Appellate Case No. 2012-212192 **CERTIORARI TO THE COURT OF APPEALS** - Richland County - **Angela R. Taylor, Family Court Judge** - **Submitted May 15, 2014** - Filed May 28, 2014. Robert L. Jackson, of Jackson & Jackson, of Columbia, for Petitioner. Judy B. South, Pro Se Respondent, of St. Petersburg, Florida. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in South v. South, Op. No. 2012-UP-165 (S.C. Ct. App. filed March 7, 2012). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-008** - Tijuan Peake, Petitioner, v. State of South Carolina. Appellate Case No. 2013-001271 - Union County - Edgar W. Dickson, Circuit Judge - **Submitted February 19, 2015** - Filed March 4, 2015. Appellate Defender LaNelle Cantey DuRant, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General J. Rutledge Johnson, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the circuit court's dismissal of Tijuan Peake application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-016** - Eunice McCall, Petitioner, v. State of South Carolina. Appellate Case No. 2012-213542 - Lee County - W. Jeffrey Young, Circuit Court Judge - **Submitted March 18, 2015** - Filed April 8, 2015. Appellate Defender Susan Barber Hackett, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, and Megan Elizabeth Harrigan, both of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the briefs and appendices, **we dismiss the writ of certiorari as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-024** - Court Bryan L. Mulligan, Respondent, v. State of South Carolina. Appellate Case No. 2013-002130 - Dorchester County - Carmen T. Mullen, Circuit Judge - **Submitted April 1, 2015** - Filed April 29, 2015. Attorney General Alan M. Wilson and Assistant Attorney General Megan E. Harrigan, both of Columbia, for Petitioner. Tara Dawn Shurling, of Law Office of Tara Dawn Shurling, P.A., of Columbia, for Respondent. **PER CURIAM:** We granted the State's petition for a writ of certiorari **to review the grant of Respondent's application for post-conviction relief (PCR)**. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-038** - Bruce Wilson, Petitioner, v. State of South Carolina. Appellate Case No. 2013-001275 - Richland County - James C. Williams, Circuit Judge - Clifton Newman, Circuit Judge - **Submitted June 15, 2015** - Filed June 24, 2015. Appellate Defender LaNelle Cantey DuRant, of Columbia, for Petitioner. Attorney General Alan Wilson and Assistant Attorney General J. Clayton Mitchell, both of Columbia, for Respondent. **PER CURIAM:** Petitioner's first application for post-conviction relief was denied by Judge Williams. No notice of appeal was filed. Petitioner sought a writ of certiorari from an order issued by Judge Newman denying Petitioner a belated review of Judge Williams' order pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991). This Court granted the petition for a writ of certiorari from Judge Newman's order, dispensed with further briefing, and issued a writ of certiorari to review Judge Williams' order. We have carefully considered the briefs and applicable law, and **we now dismiss certiorari as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-044** - Domonique Brown, Petitioner, v. State of South Carolina. Appellate Case No. 2012-212940 - Laurens County - Thomas A. Russo, Circuit Judge - **Submitted June 17, 2015** - Filed July 29, 2015. Christopher Todd Brumback, Bryan Scott Haskins, and Spencer Davis Langley, all of Brumback & Langley, LLC, of Greenville, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General James Rutledge Johnson, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the circuit court's dismissal of Domonique Brown's application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-058** - Yesenia Ramirez, Petitioner, v. State of South Carolina. Appellate Case No. 2014-000025 - Spartanburg County - R. Lawton McIntosh, Circuit Judge - **Submitted September 22, 2015** - Filed September 30, 2015. Appellate Defender Lara Mary Caudy, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner.

Attorney General Alan McCrory Wilson and Assistant Attorney General Alicia A. Olive, both of Columbia, for Respondent. **PER CURIAM:** We granted Yesenia Ramirez's petition for a writ of certiorari to review the dismissal of her application for post-conviction relief (PCR). **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Opinion No. 2015-MO-066** - Court Travis Montre Smith, Petitioner, v. State of South Carolina. Appellate Case No. 2013-001696 - Spartanburg County - J. Mark Hayes, II, Circuit Judge - **Submitted October 15, 2015** - Filed November 18, 2015. Appellate Defender Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Senior Assistant Deputy Attorney General Karen C. Ratigan, both of Columbia, for Respondent. **PER CURIAM:** We granted certiorari to review the dismissal of Travis Montre Smith's application for post-conviction relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., BEATTY, KITTREDGE and HEARN, JJ., concur. PLEICONES, J., not participating.**

**Memorandum Opinion No. 2015-MO-071** - Barry Allen Evans, Petitioner, v. State of South Carolina. Appellate Case No. 2013-001863 Appeal from Anderson County R. Lawton McIntosh, Circuit Judge - **Submitted September 15, 2015** - Filed December 2, 2015. Appellate Defender Lara Mary Caudy, of Columbia, for Petitioner. Assistant Attorney General John Walter Whitmire and Attorney General Alan McCrory Wilson, both of Columbia, for Respondent. **PER CURIAM:** After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2015-MO-074** - Stanley Golson, Petitioner, v. State of South Carolina. Appellate Case No. 2014-000446 -Lexington County - Frank R. Addy, Jr., Circuit Judge - **Submitted December 15, 2015** - Filed December 23, 2015. Appellate Defender Robert M. Pachak, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Patrick Lowell Schmeckpeper, both of Columbia, for Respondent. **PER CURIAM:** We granted Stanley Golson's petition for a writ of certiorari to review the dismissal of his application for Post-Conviction Relief. **We now dismiss the writ as improvidently granted. TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

**Memorandum Opinion No. 2016-MO-002** - Rikam Ikkesch Dozier, Petitioner, v. State of South Carolina. Appellate Case No. 2014-000694 - Lexington County - Edgar W. Dickson, Post-Conviction Judge - **Submitted December 1, 2015** - Filed February 3, 2016. Aimee Jendrzewski Zmroczek, of Columbia, for Petitioner. Attorney General Alan Wilson and Assistant Attorney General Patrick Lowell Schmeckpeper, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the denial of Petitioner Rikam Dozier's application for post-conviction relief. After careful consideration of the Appendix and briefs, **the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN, JJ., and Acting Justice Jean H. Toal, concur.**

**Memorandum Opinion No. 2016-MO-004** - Reginald Montgomery, Petitioner, v. State of South Carolina. Appellate Case No. 2014-001288 - Orangeburg County - J.C. Nicholson, Trial Judge - Diane Schafer Goodstein, Post-Conviction Judge - **Submitted March 15, 2016** - Filed March 23, 2016. Appellate Defender Kathrine Haggard Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General James Clayton Mitchell, III, both of Columbia, for Respondent. **PER CURIAM:** We granted Reginald Montgomery's petition for a writ of certiorari to review the dismissal of his application for post-conviction relief. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-006** - Brenda Gail Cutro, Petitioner, v. State of South Carolina. Appellate Case No. 2012-212782 - Richland County - Alison Renee Lee, Post-Conviction Judge - **Submitted March 15, 2016** - Filed March 23, 2016. David Alexander, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Deputy Attorney General David A. Spencer, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the postconviction relief judge. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-007** - The State, Respondent, v. Erick E. Hewins. Appellate Case No. 2015-000595 **CERTIORARI TO THE COURT OF APPEALS** - Greenville County - G. Edward Welmaker, Circuit Judge - **Submitted March 15, 2016** - Filed March 23, 2016. Erick E. Hewins, of McCormick, pro se, Petitioner. Attorney General Alan McCrory Wilson, Assistant Attorney General Mary Leddon, and Assistant Attorney General Susannah Rawl Cole, all of Columbia; and Solicitor William Walter Wilkins, III, of Greenville, all for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the court of appeals' decision in State v. Hewins, Op. No. 2014-UP-478 (S.C. Ct. App. filed Dec. 23, 2014) (per curiam). **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE and HEARN, JJ., concur. FEW, J., not participating.**

**Memorandum Opinion No. 2016-MO-008** - Eddie Pilcher, Petitioner, v. State of South Carolina. Appellate Case No. 2014-000406 - Spartanburg County J. Derham Cole, Post-Conviction Judge - **Submitted February 16, 2016** - Filed March 30, 2016. Appellate Defender Benjamin John Tripp, of Columbia, for Petitioner. Attorney General Alan McCrory

*Wilson and Assistant Attorney General Alicia A. Olive, both of Columbia, for Respondent. PER CURIAM: After careful consideration of the Appendix and briefs, the writ of certiorari is DISMISSED AS IMPROVIDENTLY GRANTED. PLEICONES, C.J., BEATTY, KITTREDGE and HEARN, JJ., concur. FEW, J., not participating.*

**Memorandum Opinion No. 2016-MO-016** - Jaleel Page, Petitioner, v. State of South Carolina. Appellate Case No. 2014-001189 - York County - John C. Hayes, III, Post-Conviction Judge - Submitted April 15, 2016 - Filed April 27, 2016. Appellate Defender Tiffany L. Butler, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General James R. Johnson, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the postconviction relief judge. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-021** - Elijah Baylock Jr., Petitioner, v. State of South Carolina. Appellate Case No. 2014-002110 - Berkeley County - Deadra L. Jefferson, Post-Conviction Judge - Submitted June 15, 2016 - Filed June 29, 2016. Appellate Defender Lara Mary Caudy, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Justin James Hunter, both of Columbia, for Respondent. **PER CURIAM:** We granted Elijah Baylock Jr.'s petition for a writ of certiorari to review the dismissal of his application for post-conviction relief. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-025** - Travaughn Thomas, Petitioner, v. State of South Carolina. Appellate Case No. 2014-001870 - Greenville County - Robin B. Stilwell, Post-Conviction Judge - Submitted June 16, 2016 - Filed July 20, 2016. Appellate Defender Susan B. Hackett, of Columbia, for Petitioner. Senior Assistant Deputy Attorney General Karen C. Ratigan, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the decision of the postconviction relief judge. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-027** - Nearim Blackwell-Selim, Petitioner, v. State of South Carolina. Appellate Case No. 2015-000020 - Horry County - Steven H. John, Plea Judge - John C. Hayes, III, Post-Conviction Judge - Submitted September 15, 2016 - Filed October 12, 2016. Appellate Defender Wanda H. Carter, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Senior Assistant Deputy Attorney General Johanna C. Valenzuela, both of Columbia; and Amanda N. Bonine of Bluffton, for Respondent. **PER CURIAM:** We granted Nearim Blackwell-Selim's petition for a writ of certiorari to review the dismissal of her application for post-conviction relief. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-028** - Willie J. Adams, Petitioner, v. State of South Carolina. Appellate Case No. 2014-002165 - Fairfield County - W. Jeffrey Young, Post-Conviction Judge - Submitted September 15, 2016 - Filed October 12, 2016. Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan Wilson and Senior Assistant Deputy Attorney General Johanna C. Valenzuela, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief (PCR) court's dismissal of Petitioner Willie J. Adams's application for PCR. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Memorandum Opinion No. 2016-MO-031** - Randall S. Tyler, Petitioner, v. State of South Carolina. Appellate Case No. 2013-000795 - Lexington County - W. Jeffrey Young, Post-Conviction Judge - Submitted October 17, 2016 - Filed October 26, 2016. Appellate Defender David Alexander, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Patrick Lowell Schmeckpeper, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Post-Conviction Relief (PCR) court's dismissal of Petitioner Randall S. Tyler's application for PCR. **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, KITTREDGE, HEARN and FEW, JJ., concur.**

**Cv-Memorandum Opinion No. 2016-MO-032** - Blue Ridge Electric Cooperative, Inc., Petitioner, v. Kathleen J. Gresham. Appellate Case No. 2015-001836 CERTIORARI TO THE COURT OF APPEALS - Greenville County - R. Lawton McIntosh, Circuit Judge - Submitted November 15, 2016 - Filed December 7, 2016. Larry C. Brandt, of Larry C. Brandt, P.A., of Walhalla; Steven W. Hamm and Jo Anne Wessinger Hill, both of Richardson Plowden & Robinson, P.A., of Columbia; all for Petitioner. Kathleen Jennings Gresham, of Landrum, Pro Se Respondent. **PER CURIAM:** We granted Blue Ridge Electric Cooperative, Inc.'s petition for a writ of certiorari to review the decision of the Court of Appeals in Blue Ridge Elec. Coop. v. Gresham, Op. No. 2015-UP-031 (S.C. Ct. App. filed Jan. 14, 2015). **We now dismiss the writ as improvidently granted. PLEICONES, C.J., BEATTY, HEARN and FEW, JJ., concur. KITTREDGE, J., not participating.**

**Memorandum Opinion No. 2017-MO-017** - Keith Antravus DeSue, Petitioner, v. State of South Carolina. Appellate Case No. 2015-000542 - Greenville County - Eugene C. Griffith, Jr., Circuit Judge - Submitted September 15, 2017 - Filed October 4, 2017. Appellate Defender Lara Mary Caudy, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General DeShawn Herman Mitchell, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Post-Conviction Relief ("PCR") court's dismissal of Petitioner Keith A. DeSue's application for PCR. **We now dismiss the writ as improvidently granted. BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2017-MO-021** - Jason Sanford, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-000410** - Anderson County - Carmen T. Mullen, Circuit Judge - **Submitted September 27, 2017** - Filed November 1, 2017. Appellate Defender Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Lindsey A. McCallister, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Post-Conviction Relief ("PCR") court's dismissal of Petitioner Jason Sanford's application for PCR. **We now dismiss the writ as improvidently granted.** **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2017-MO-022** - Alonda B. Desaussure, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-000137** - Charleston County - G. Thomas Cooper, Jr., Circuit Judge - **Submitted November 15, 2017** - Filed November 22, 2017. Appellate Defender Laura Ruth Baer, of Columbia, for Petitioner. Attorney General Alan McCrory Wilson and Assistant Attorney General Justin James Hunter, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Post-Conviction Relief ("PCR") court's dismissal of Petitioner Alonda B. Desaussure's application for PCR. **We now dismiss the writ as improvidently granted.** **KITTREDGE, Acting Chief Justice, HEARN, FEW and JAMES, JJ., concur. BEATTY, C.J., not participating.**

**Memorandum Opinion No. 2018-MO-002** - Randall Price, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-001037** - Spartanburg County - Deadra L. Jefferson, Circuit Judge - **Submitted January 16, 2018** - Filed January 31, 2018. Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General Valerie Garcia Giovanoli, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Post-Conviction Relief (PCR) court's dismissal of Randall Price's application for PCR. **We now dismiss the writ as improvidently granted.** **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-003** - Sammy Cowan, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-001335** - Anderson County - Alexander S. Macaulay, Post-Conviction Judge - **Submitted January 16, 2018** - Filed January 31, 2018. Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan Wilson and Assistant Attorney General Lindsey A. McCallister, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief (PCR) court's dismissal of Petitioner Sammy Cowan's application for PCR. **We now dismiss the writ as improvidently granted.** **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-004** - Curtis Ray Nealey, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-000881** - Darlington County - R. Ferrell Cothran Jr., Circuit Judge - **Submitted January 16, 2018** - Filed February 7, 2018. Appellate Defender Robert M. Pachak, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General Jessica E. Kinard, both of Columbia, for Respondent. **PER CURIAM:** We granted Curtis Nealey's petition for a writ of certiorari to review the post-conviction relief (PCR) court's decision to deny relief. **We now dismiss the writ as improvidently granted.** **KITTREDGE, Acting Chief Justice, HEARN, FEW and JAMES, JJ., concur. BEATTY, C.J., not participating.**

**Memorandum Opinion No. 2018-MO-005** - Terrance McCall, Petitioner, v. State of South Carolina. **Appellate Case No. 2014-002285** - Spartanburg County - Roger L. Couch, Circuit Judge - **Submitted January 16, 2018** - Filed February 7, 2018. Deputy Chief Appellate Defender Wanda H. Carter, of Columbia, and Tiffany Lorraine Butler, of Duff & Childs, LLC, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General Valerie Garcia Giovanoli, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief (PCR) court's denial of Petitioner Terrance McCall's application for PCR. **We now dismiss the writ as improvidently granted.** **KITTREDGE, Acting Chief Justice, HEARN, FEW and JAMES, JJ., concur. BEATTY, C.J., not participating.**

**Memorandum Opinion No. 2018-MO-006** - Marshall Dewitt McGaha, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-001464** - Greenville County - Edward W. Miller, Post-Conviction Judge - **Submitted February 13, 2018** - Filed February 21, 2018. Appellate Defender Kathrine H. Hudgins, of Columbia, for Petitioner. Attorney General Alan Wilson and Assistant Attorney General DeShawn H. Mitchell, both of Columbia, for the State. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief (PCR) court's dismissal of Petitioner Marshall Dewitt McGaha's application for PCR. **We now dismiss the writ as improvidently granted.** **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-007** - Altony Brooks, Petitioner, v. State of South Carolina. **Appellate Case No. 2015-001610** - Berkeley County - W. Jeffrey Young, Post-Conviction Judge - **Submitted October 18, 2017** - Filed February 28, 2018. Appellate Defender Robert M. Pachak, of Columbia, for Petitioner. Attorney General Alan Wilson and Assistant Attorney General Justin Hunter, both of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the post-conviction relief (PCR) court's dismissal of Petitioner Altony Brooks' application for PCR. **We now dismiss the writ as improvidently granted.** **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-008** - David Carmichael, Respondent, v. State of South Carolina. **Appellate Case No. 2015-000424** - Richland County - Robert E. Hood, Circuit Judge - **Submitted February 15, 2018** - Filed February 28, 2018. Attorney General Alan McCrory Wilson and Assistant Attorney General James Clayton Mitchell, III, of Columbia, for

Petitioner. Chief Appellate Defender Robert Michael Dudek, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the Post-Conviction Relief (PCR) court's decision to grant David Carmichael's application for PCR. We now dismiss the writ as improvidently granted. **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ.**

**Memorandum Opinion No. 2018-MO-033 - Edward Rorecuse Young, Respondent, v. State of South Carolina. Appellate Case No. 2015-000785 - Greenville County - Eugene C. Griffith, Jr., Post-Conviction Judge - Submitted September 19, 2018 - Filed October 3, 2018.** Attorney General Alan Wilson and Assistant Attorney General DeShawn H. Mitchell, both of Columbia, for Petitioner. Chief Appellate Defender Robert Michael Dudek, of Columbia, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the post-conviction relief (PCR) court's grant of Edward Rorecuse Young's application for PCR. We now dismiss the writ as improvidently granted. **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-036 - Travell L. Hill, Respondent-Petitioner, v. State of South Carolina, Petitioner-Respondent. Appellate Case No. 2015-001459 - Greenville County Daniel Derwitt Hall, Circuit Judge - Submitted October 17, 2018 - Filed October 24, 2018.** C. Rauch Wise, of Greenwood, for Respondent/Petitioner. Attorney General Alan McCrory Wilson, and Assistant Attorney General DeShawn Mitchell, both of Columbia, for Petitioner/Respondent. **PER CURIAM:** We issued writs of certiorari to review the post-conviction relief (PCR) court's grant of Travell Hill's application for PCR. We now dismiss the writs as improvidently granted. **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

**Memorandum Opinion No. 2018-MO-037 - Dan L. Temple, Petitioner, v. State of South Carolina. Appellate Case No. 2016-001756 - Oconee County - Scott Sprouse, Circuit Judge - Submitted November 15, 2018 - Filed December 5, 2018.** Appellate Defender Lara Mary Caudy, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General Lindsey A. McCallister, both of Columbia, for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the post-conviction relief (PCR) court's denial of Petitioner Dan Temple's application for PCR. We now dismiss the writ as improvidently granted. **BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.**

#### **Other = 6**

**Opinion No. 25775 - David E. Thompson, Petitioner, v. State of South Carolina. Dillon County - B. Hicks Harwell, Jr., Circuit Judge - Submitted September 25, 2003 - Filed January 27, 2004** Katherine Carruth Link, and South Carolina Office of Appellate Defense, of Columbia, for petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Chief of Capital & Collateral Litigation Donald J. Zelenka, and Assistant Attorney General B. Allen Bullard, Deputy Assistant Attorney General William Bryan Dukes, all of Columbia, for respondent. **JUSTICE MOORE:** We granted a writ of certiorari to consider whether the circuit court was without subject matter jurisdiction to accept petitioner's plea to two counts of criminal conspiracy. We now dismiss the writ as improvidently granted.

**2005-MO-061 - Tolen v. State**

**Opinion No. 26084 - Memorandum Opinion No. 2005-MO-061 - Frank Tolen, Jr., Respondent, v. State of South Carolina. - Saluda County - Kenneth G. Goode, Circuit Judge - Submitted November 16, 2005 - Filed December 19, 2005.** Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Adrienne L. Turner, and Assistant Attorney General Sabrina C. Todd, of Columbia, for Petitioner. Acting Deputy Chief Attorney Wanda H. Carter, of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the grant of post-conviction relief (PCR) to Respondent, Frank Tolen, Jr. We dismiss, in part, as improvidently granted, and vacate the remainder of the PCR court's rulings. We dismiss certiorari as improvidently granted with respect to the PCR court's ruling on the issue of the State's failure to give proper notice of intent to seek a sentence of life imprisonment without parole pursuant to S.C. Code Ann. § 17-25-45(H) (2003). The remainder of the holdings of the PCR court are vacated, and the matter is remanded for a new trial. **DISMISSED IN PART AS IMPROVIDENTLY GRANTED, VACATED IN PART AND REMANDED. TOAL, C.J., MOORE, BURNETT and PLEICONES, JJ., concur. WALLER, J., not participating.**

**Opinion No. 26463 - Terrence Haggins, Respondent, v. State of South Carolina. CERTIORARI TO THE COURT OF APPEALS - Lancaster County - Kenneth G. Goode, Circuit Judge - Submitted February 21, 2008 - Filed March 24, 2008.** Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General David A. Spencer, all of Columbia, for Petitioner. - Deputy Chief Appellate Defender Wanda H. Carter, of South Carolina Commission on Indigent Defense, Division of Appellate Defense, of Columbia, for Respondent. **PER CURIAM:** The State petitioned the Court of Appeals pursuant to Rule 227, SCACR, for a writ of certiorari to review a circuit court order granting respondent's application for post-conviction relief (PCR). The Court of Appeals denied the State's petition by letter without issuing a formal order or opinion. [1] We granted the State's petition for a writ of certiorari made pursuant to Rule 226, SCACR, to review the Court of Appeals' denial and now dismiss the writ as improvidently granted. We hold that, as a matter of policy, we will not entertain Rule 226 petitions where the Court of Appeals has exercised its discretion and denied a Rule 227 petition, and no formal opinion or order has been filed. [¶] This Court has held that it will grant certiorari to the Court of Appeals "only where special reasons justify the exercise of

that power.” *In re Exhaustion of State Remedies in Criminal and Post-Conviction Relief Cases*, 321 S.C. 563, 471 S.E.2d 454 (1990), cited with approval in *Douglas v. State*, 369 S.C. 213, 631 S.E.2d 542 (2006) (holding counsel not required to seek certiorari after criminal direct appeal decided by Court of Appeals) and in *Dunlap v. State*, 371 S.C. 585, 641 S.E.2d 431 (2007) (extending rationale of *Douglas* to PCR cases, and holding counsel not required to seek certiorari from the Court of Appeals decision).

[¶] A decision by the Court of Appeals to grant or deny a writ of PCR certiorari is a matter committed to that court's discretion. The decision to deny PCR certiorari can never be deemed “a special reason” justifying the exercise of our discretion, nor can an informal “letter denial” meet any of the five criteria we consider when determining whether to grant certiorari to a decision of the Court of Appeals. *See* Rule 226(b), SCACR. [2] [¶] We therefore hold that we will not entertain Rule 226 petitions for writ of certiorari to review “letter denials” in PCR matters. Accordingly, this writ is [¶] **DISMISSED AS IMPROVIDENTLY GRANTED.** [¶] **TOAL, C.J., MOORE, WALLER, PLEICONES and BEATTY, JJ., concur.** [¶] [1] As is the practice in this Court, parties are informed that their petitions for writs of certiorari have been denied by letter from the appellate court clerk's office. [¶] [2] Where there are novel questions of law; where there is a dissent in the decision of the Court of Appeals; where the decision of the Court of Appeals is in conflict with a prior decision of the Supreme Court; where substantial constitutional issues are directly involved; and/or where a federal question is included and the decision of the Court of Appeals conflicts with a decision of the United States Supreme Court.

**Memorandum Opinion No. 2005-MO-058** - Capricia Hampton, Petitioner, v. State of South Carolina - Saluda - County - J. Michael Baxley, Trial Judge - James R. Barber, Post-Conviction Judge - **Submitted November 16, 2005** - Filed December 12, 2005. Assistant Appellate Defender Eleanor Duffy Cleary, of Columbia, for Petitioner. Attorney General Henry Dargan McMaster, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, Assistant Attorney General Sabrina C. Todd, all of Columbia, for Respondent. **PER CURIAM:** We granted a writ of certiorari to review the circuit court's order denying Petitioner's application for post-conviction relief (PCR) and granting her a belated review of her direct appeal issue pursuant to *White v. State*, 263 S.C. 110, 208 S.E.2d 35 (1974). On Petitioner's Question 1 and her direct appeal issue, we affirm pursuant to Rule 220(b)(1), SCACR, and the following authority: *Caprood v. State*, 338 S.C. 103, 525 S.E.2d 514 (2000) (the findings of the PCR court will be upheld when there is any evidence of probative value to support them); *State v. Irick*, 344 S.C. 460, 545 S.E.2d 282 (2001) (“The trial judge's determination of admissibility will not be disturbed absent abuse of discretion resulting in prejudice to the complaining party.”); *State v. Taylor*, 333 S.C. 159, 168, 508 S.E.2d 870, 874 (1998) (“In homicide cases, evidence that the accused and the decedent had previous difficulty is admissible. The evidence is admissible to show the animus of the parties and to aid the jury in deciding who was the probable aggressor. The general details of the difficulty, however, are inadmissible.”). On Petitioner's Question 2, after careful review of the Appendix and Briefs, we dismiss the writ of certiorari as improvidently granted. **AFFIRMED AND DISMISSED AS IMPROVIDENTLY GRANTED. TOAL, C.J., MOORE, BURNETT and PLEICONES, JJ., concur. WALLER, J., not participating.**

**Memorandum Opinion No. 2011-MO-033** - Demetrius Jones, Petitioner, v. State of South Carolina - Marion County - Benjamin H. Culbertson, Circuit Judge - **Submitted November 16, 2011** - Filed November 28, 2011. Appellate Defender LaNelle C. DuRant, of the South Carolina Commission on Indigent Defense, of Columbia, for Petitioner. Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Senior Assistant Attorney General David Spencer, all of Columbia, for Respondent. **PER CURIAM:** Demetrius Jones pled guilty to voluntary manslaughter, armed robbery, and assault and battery of a high and aggravated nature (ABHAN). He was sentenced to twenty-five years' imprisonment for voluntary manslaughter and armed robbery, respectively, and to ten years' imprisonment for ABHAN. The sentences were to be served concurrently. No direct appeal was taken. Jones filed an application for post-conviction relief (PCR) in which he claimed his plea counsel had an actual conflict of interest as he simultaneously represented another co-defendant on the same charges. This Court granted Jones's petition for a writ of certiorari to review a circuit court order denying his PCR application. We now dismiss the writ of certiorari as improvidently granted. **TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.**

## 2005-10-19-02 The Supreme Court of South Carolina

Julie Hair, Jeffrey Stout and Stephanie Coker, as Personal Representatives of the Estate of Sharon B. Roberson, Respondents, v. Willie Joe Roberson, Petitioner. - **ORDER** - By order dated August 12, 2005, we granted certiorari to review the Court of Appeals' holding that there is no requirement that the family court make specific findings when requiring a spouse to secure an alimony obligation with a life insurance policy and its finding, in the alternative, that other statements in the family court order indicated that the requisite factors were considered. We granted certiorari based, in part, on the Court of Appeals' reliance on *Wooten v. Wooten*, 356 S.C. 473, 589 S.E.2d 769 (Ct. App. 2003), which has since been reversed by this Court in *Wooten v. Wooten*, 364

S.C. 532, 615 S.E.2d 98 (2005). However, because the death of Ms. Roberson has rendered the issue of securing alimony with a life insurance policy moot, we now dismiss the writ of certiorari as improvidently granted. IT IS SO ORDERED. s/Jean H. Toal, J. s/James E. Moore, J. s/John H. Waller, Jr., J. s/E. C. Burnett, III, J. s/Costa M. Pleicones, J. Columbia, South Carolina - October 19, 2005

### 2011-04-21-02 - The Supreme Court of South Carolina

Maria A. Hollins, as Parent and Guardian ad Litem for Jane Doe, a minor under the age of fourteen years, Petitioner, v. Wal-Mart Stores, Inc., Respondent. [¶] **ORDER** [¶] This Court granted petitioner's request for a writ of certiorari to review the Court of Appeals' decision in *Hollins v. Wal-Mart Stores, Inc.*, 381 S.C. 245, 672 S.E.2d 805 (Ct. App. 2008). After briefing and oral argument, the Court dismissed the writ of certiorari as improvidently granted. *Hollins v. Wal-Mart Stores, Inc.*, Op. No. 26937 (S.C. Sup. Ct. filed March 7, 2011). Petitioner has filed a petition for rehearing, and respondent moves to strike the petition for rehearing. [¶] Rule 221(a), SCACR, prohibits petitions for rehearing from the denial of a writ of certiorari to the Court of Appeals. For purposes of Rule 221(a), a dismissal of a writ of certiorari as improvidently granted is equivalent to the denial of a petition for a writ of certiorari since both dispositions indicate this Court has determined there is no need to discuss or further review the merits of the case. *Cf., Ellison v. State*, 382 S.C. 189, 676 S.E.2d 671 (2009) (prohibiting further review in post-conviction relief actions when the Court of Appeals determines the matter does not merit discussion). Accordingly, no petition for rehearing is permitted from a dismissal of a writ of certiorari as improvidently granted. We, therefore, grant the motion to strike the petition for rehearing in this matter. [¶] IT IS SO ORDERED. [¶] s/Costa M. Pleicones A.C.J. s/Donald W. Beatty J. s/John W. Kittredge J. Moore, A.J., and Waller, A.J., not participating - Columbia, South Carolina - April 21, 2011

### 2015-11-06-01 The Supreme Court of South Carolina

Carolina First Bank, n/k/a TD Bank, NA, Petitioner, v. BADD, LLC, William McKown and Charles A. Christenson, Defendants, of whom BADD, LLC and William McKown are Respondents. BADD, LLC and William McKown, Third Party Plaintiffs, v. William Rempher, Third Party Defendant. Appellate Case No. 2013-000107 – **ORDER** - We granted the respondents' petition for rehearing following the issuance of Op. No. 27486 (S.C. Sup. Ct. filed January 28, 2015). After rehearing the case, we adhere to our original opinion and therefore **dismiss the petition for rehearing as improvidently granted.** s/Jean H. Toal, J. s/Costa M. Pleicones, J. s/Donald W. Beatty, J. s/John W. Kittredge, J. s/Kaye G. Hearn, J. Columbia, South Carolina November 6, 2015

### 2016-03-24-02 - The Supreme Court of South Carolina

Richard Stogsdill, Petitioner, v. South Carolina Department of Health and Human Services, Respondent. Appellate Case No. 2014-002513 – **ORDER** - After granting a writ of certiorari to review the decision of the South Carolina Court of Appeals in this case, this Court issued an opinion on January 20, 2016, dismissing the writ as improvidently granted. That same day, the remittitur was sent to the Administrative Law Court. [¶] Petitioner has now filed a motion requesting that this Court vacate its opinion pursuant to Rule 60(b)(3), SCRCP, and seeking leave to supplement the record in this matter pursuant to Rule 212(b), SCACR. Alternatively, Petitioner seeks a rehearing pursuant to Rule 221(a), SCACR. [¶] Initially, to the extent Petitioner petitions the Court to vacate its opinion under Rule 60, SCRCP, we remind Petitioner that the South Carolina Rules of Civil Procedure are inapplicable in appellate proceedings. *See* Rule 73, SCRCP ("Procedure on appeal to the South Carolina Supreme Court or the South Carolina Court of Appeals shall be in accordance with the South Carolina Appellate Court Rules."); Rule 81, SCRCP (providing the SCRCP "shall apply to every *trial court* of civil jurisdiction within this state" (emphasis added)). To the extent Petitioner's motion seeks a rehearing of this Court's decision, such a request is improper because petitions for rehearing are not entertained following this Court's dismissal of a writ of certiorari as improvidently granted. *See* Rule 221(a), SCACR ("No petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari . . ."); *Hollins v. Wal-Mart Stores, Inc.*, 392 S.C. 313, 313, 709 S.E.2d 625, 626 (2011) (finding that, for purposes of Rule 221(a), SCACR, a dismissal of a

writ of certiorari as improvidently granted is equivalent to the denial of a petition for a writ of certiorari since both dispositions indicate this Court has determined there is no need to discuss or further review the merits of the case). [¶] Further, since the opinion of this Court was not subject to any petition for rehearing, the remittitur was properly sent when the opinion was filed. The sending of the remittitur ended appellate jurisdiction over this case, and no further motions will be entertained after the remittitur is sent. *Wise v. S.C. Dep't of Corr.*, 372 S.C. 173, 174, 642 S.E.2d 551, 551 (2007). [¶] Therefore, Petitioner's motion is hereby stricken and dismissed. [¶] s/Costa M. Pleicones[,], C.J. s/Donald W. Beatty[,], J. s/John W. Kittredge[,], J. s/Kaye G. Hearn[,], J. Moore, A.J., not participating [¶] Columbia, South Carolina March 24, 2016

### Court of Appeals DIGs after submission = 3

**Unpublished Opinion No. 2007-UP-412 - Randy Tucker Hall, Petitioner v. State of South Carolina - York County - John C. Hayes, III, Trial Judge - Howard P. King, Sentencing Judge - Lee S. Alford, PCR Judge - Submitted September 1, 2007 - Filed October 4, 2007. James W. Boyd, of Rock Hill, for Petitioner. Attorney General Henry Dargan McMaster; Chief Deputy Attorney General John W. McIntosh; Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General Julie M. Thames, all of Columbia, for Respondent. - PER CURIAM: We granted a writ of certiorari to review the denial of Petitioner's application for post-conviction relief. After thorough review, we dismiss the writ as improvidently granted.** [1] **HUFF and STILWELL, JJ., and GOOLSBY, A.J., concur.** [1] We decide this case without oral argument pursuant to Rule 215, SCACR.

**Opinion No. 2015-UP-576 - Christopher Santiago, Petitioner, v. State of South Carolina. Appellate Case No. 2012-207568 - Beaufort County Perry M. Buckner, III, Post-Conviction Judge - Submitted December 7, 2015 - Filed December 30, 2015. Richard A. Harpootlian, of Richard A. Harpootlian, PA, and Graham L. Newman, of Chappell Smith & Arden, both of Columbia, and M. David Scott, of Jordan, Rauton & Scott, LLC of Lexington, for Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Karen Christine Ratigan, Assistant Attorney General Ashleigh Rayanna Wilson, Assistant Deputy Attorney General James Rutledge Johnson, and Assistant Attorney General John Croom Colvin Hunter, all of Columbia, for Respondent. PER CURIAM: After careful consideration of the Appendix and briefs, we now dismiss the writ as improvidently granted. HUFF and THOMAS, JJ., and CURETON, A.J., concur.** [¶] 1 See *Ellison v. State*, 382 S.C. 189, 191, 676 S.E.2d 671, 672 (2009) (wherein our supreme court extended its decision in two cases to not entertain petitions for a writ of certiorari "to cases in which the Court of Appeals has issued an order denying a writ of certiorari in a PCR matter and in cases in which the Court of Appeals initially issues an order granting a writ of certiorari in such matters but later issues an opinion dismissing the writ as improvidently granted without further discussion of the case") (emphasis added). [¶] 2 We decide this case without oral argument pursuant to Rule 215, SCACR.

**Unpublished Opinion No. 2016-UP-007 - Odis Dwayne Simonds, Respondent, v. State of South Carolina. Appellate Case No. 2012-213515 - York County John C. Hayes, III, Circuit Judge - Submitted December 7, 2015 - Filed January 13, 2016. Attorney General Alan McCrory Wilson and Assistant Attorney General James Rutledge Johnson, both of Columbia, for Petitioner. Tommy Arthur Thomas, of Irmo, for Respondent. PER CURIAM: We granted a writ of certiorari to review the grant of Respondent's application for post-conviction relief. After thorough review, we dismiss the writ as improvidently granted. SHORT, GEATHERS, and MCDONALD, JJ., concur.** (1 We decide this case without oral argument pursuant to Rule 215, SCACR.)

| DIG MOs    | Heard/Submitted MIE ALC |      |    | FC     | WCC | Cv      | Crim    | PCR |      |
|------------|-------------------------|------|----|--------|-----|---------|---------|-----|------|
| Year/Total | 93H                     | 138S | 1H | 7H, 1S | 2H  | 37H, 3S | 33H, 1S | 13H | 133S |
| 2018 = 42  | 9H                      | 10S  |    | 1H     |     | 2H      | 4H      | 2H  | 10S  |
| 2017 = 22  | 6H                      | 3S   |    | 2H     |     | 1H      | 3H      |     | 3S   |
| 2016 = 32  | 5H                      | 12S  |    |        |     | 2H, 1S  | 2H, 1S  | 1H  | 10S  |
| 2015 = 74  | 19H                     | 9S   |    |        | 1H  | 6H      | 7H      | 5H  | 9S   |
| 2014 = 49  | 9H                      | 2S   |    | 1S     | 1H  | 3H      | 5H      |     | 1S   |
| 2013 = 34  | 4H                      | 7S   |    |        |     | 2H      |         | 2H  | 7S   |
| 2012 = 56  | 10H                     | 11S  | 1H | 1H     |     | 2H, 1S  | 5H      | 1H  | 10S  |
| 2011 = 40  | 2H                      | 13S  |    |        |     | 1H      | 1H      |     | 13S  |
| 2010 = 33  |                         | 4S   |    |        |     |         |         |     | 4S   |
| 2009 = 67  | 7H                      | 20S  |    |        |     | 4H      | 2H      | 1H  | 20S  |
| 2008 = 53  | 4H                      | 11S  |    |        |     | 3H      | 1H      |     | 11S  |
| 2007 = 74  | 5H                      | 17S  |    | 2H     |     | 3H, 1S  |         |     | 16S  |
| 2006 = 49  | 3H                      | 2S   |    | 1H     |     | 1H      | 1H      |     | 2S   |
| 2005 = 63  | 5H                      | 7S   |    |        |     | 3H      | 2H      |     | 7S   |
| 2004 = 72  | 5H                      | 10S  |    |        |     | 4H      |         | 1H, | 10S  |

Total = 762 (rate 762/237 = 1/3.5)

Total of opinions: 3281 + 762 = 4043 Total DIGs 351 - 8 duplicates = 343

rate: 4043/343 = 1/11.8