

# The Supreme Court of South Carolina

The State, Respondent,

v.

Jon Paul Smart, Petitioner.

Appellate Case No. 2021-000987

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## ORDER

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Based on the vote of the Court, the petition for a writ of certiorari to review the Court of Appeals' decision in *State v. Smart*, 433 S.C. 651, 861 S.E.2d 383 (Ct. App. 2021), is granted on Petitioner's Question 1. The petition is denied on Petitioner's Questions 2–4. The parties shall proceed to serve and file ten copies of the appendix and ten copies of their briefs in the manner provided by Rule 242(i), SCACR.

FOR THE COURT

BY *Patricia A. Howard*  
CLERK

Columbia, South Carolina  
May 17, 2022

cc:

Joanna Katherine Delany, Esquire  
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The Honorable Jenny Abbott Kitchings