

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

Somjai Fung Fue Starnes, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2011-191878

Appeal from Horry County
Benjamin H. Culbertson, Post-Conviction Relief Judge

Memorandum Opinion No. 2013-MO-019
Heard June 4, 2013 – Filed June 12, 2013

REVERSED AND REMANDED

Rachael A. Dain of Attorney Dain, LLC, of Columbia,
for Petitioner.

Attorney General Alan M. Wilson, Chief Deputy
Attorney General John W. McIntosh, Senior Assistant
Deputy Attorney General Salley W. Elliott, and Christina
J. Catoe, all of Columbia, for the State.

PER CURIAM: We granted a writ of certiorari to review the denial of post-conviction relief (PCR) in this matter. Pursuant to Rule 220(b)(1), SCACR, we

reverse and grant Petitioner PCR. This matter is remanded to the trial court for further proceedings in connection with the charge of first-degree criminal sexual conduct with a minor.

REVERSED AND REMANDED.

**TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ.,
concur.**