

**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**

Kenneth Sherman, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2014-001364

Appeal From Greenville County
Edward W. Miller, Plea Judge
D. Garrison Hill, Post-Conviction Relief Judge

Memorandum Opinion No. 2015-MO-048
Submitted July 27, 2015 – Filed August 26, 2015

DISMISSED

Appellate Defender Benjamin John Tripp, of Columbia,
for Petitioner.

Attorney General Alan McCrory Wilson and Senior
Assistant Deputy Attorney General Karen Christine
Ratigan, both of Columbia, for Respondent.

PER CURIAM: Petitioner seeks a writ of certiorari from an order denying his application for post-conviction relief (PCR), but finding petitioner did not knowingly and intelligently waive his right to a direct appeal.

We deny the petition for a writ of certiorari as to Question II.

Because there is sufficient evidence to support the PCR judge's finding that petitioner did not knowingly and intelligently waive his right to a direct appeal, we grant the petition for a writ of certiorari as to Question I and proceed pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986).

Counsel has submitted a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), and a motion to be relieved as counsel. Petitioner has not filed a pro se response.

Petitioner's appeal is dismissed, pursuant to Rule 220(b)(1), SCACR, after review pursuant to *Anders, supra*. Counsel's motion to be relieved as counsel is granted.

DISMISSED.

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