

**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**

The State, Respondent,

v.

David Gerrard Johnson, Petitioner.

Appellate Case No. 2014-001506

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal From Florence County
Thomas A. Russo, Circuit Court Judge

Memorandum Opinion No. 2015-MO-067
Heard October 8, 2015 – Filed December 2, 2015

**CERTIORARI DISMISSED AS IMPROVIDENTLY
GRANTED**

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.**