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.

Sean Robert Kelly, Petitioner.

Appellate Case No. 2018-000029

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal From York County John C. Hayes, III, Circuit Court Judge

Opinion No. 2019-MO-013 Heard March 6, 2019 – Filed March 13, 2019

CERTIORARI DISMISSED AS IMPROVIDENTLY GRANTED

Heath Preston Taylor, of Taylor Law Firm, LLC, of West Columbia, for Petitioner.

Attorney General Alan McCrory Wilson, Assistant Senior Attorney General William M. Blitch, Jr., both of Columbia, and Kevin Scott Brackett, of York, all for Respondent. **PER CURIAM:** We issued a writ of certiorari to review the court of appeals' decision in *State v. Kelly*, Op. No. 2017-UP-391 (S.C. Ct. App. filed Oct. 18, 2017). We now dismiss the writ as improvidently granted.

DISMISSED AS IMPROVIDENTLY GRANTED.

BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.