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

Steven Spagnoli, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-000961 Lower Court Case No. 2013-CP-46-01662

Appeal From York County The Honorable John C. Hayes, III, Trial Judge The Honorable Daniel Dewitt Hall, Post-Conviction Relief Judge

Memorandum Opinion No. 2018-MO-014 Submitted March 7, 2018 – Filed April 4, 2018

DISMISSED

Appellate Defender Lara Mary Caudy, of Columbia, for Petitioner.

Attorney General Alan McCrory Wilson and Assistant Attorney General Justin James Hunter, both of Columbia, for Respondent. **PER CURIAM:** Petitioner seeks a writ of certiorari from the denial of his application for post-conviction relief (PCR).

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 certiorari and proceed with a review of the direct appeal issue pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986).

We dismiss this matter pursuant to Rule 220(b)(1), SCACR, after review pursuant to *Anders v. California*, 386 U.S. 738 (1967). Counsel's motion to be relieved is granted.

DISMISSED.

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