

**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**

Derrick J. Miles, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-001997

Lower Court Case No. 2013-CP-08-02847

---

**ON WRIT OF CERTIORARI**

---

Appeal From Berkeley County  
The Honorable Roger E. Henderson, Circuit Court Judge

---

Memorandum Opinion No. 2017-MO-012

Submitted May 31, 2017 – Filed June 21, 2017

---

**REMANDED**

---

Deputy Chief Appellate Defender Wanda H. Carter, of  
Columbia, for Petitioner.

Attorney General Alan Wilson and Assistant Attorney  
General Alicia A. Olive, both of Columbia, for  
Respondent.

---

**PER CURIAM:** Petitioner seeks a writ of certiorari from the denial of his application for post-conviction relief. The petition for a writ of certiorari is granted. We dispense with further briefing and direct the court of general sessions to determine if, in its discretion, petitioner should be given credit for time served on house arrest. *See* S.C. Code Ann. § 24-13-40 (Supp. 2016) (stating sentence credit "may be given for any time spent under monitored house arrest").

**REMANDED.**

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