

**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**

Mason Johnson, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-213721

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Appeal From York County  
The Honorable Lee S. Alford, Trial Judge  
The Honorable John C. Hayes, III, Post-Conviction Relief Judge

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Memorandum Opinion No. 2014-MO-033  
Submitted August 6, 2014 – Filed August 13, 2014

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**AFFIRMED**

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Deputy Chief Appellate Defender Wanda H. Carter,  
South Carolina Commission on Indigent Defense,  
Division of Appellate Defense, of Columbia, for  
Petitioner,

Attorney General Alan Wilson, Assistant Attorney  
General J. Rutledge Johnson, both of Columbia, for  
Respondent.

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**PER CURIAM:** Petitioner seeks a writ of certiorari from the denial of his application for post-conviction relief (PCR).

We deny the petition as to petitioner's Question II. However, 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 on petitioner's Question I 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).

Petitioner's convictions and sentences are affirmed pursuant to Rule 220(b)(1), SCACR, and the following authorities: *State v. Sinclair*, 275 S.C. 608, 274 S.E.2d 411 (1981) (where appellant's objection was sustained and he sought no further relief, this Court has no issue to decide); *State v. Beck*, 342 S.C. 129, 536 S.E.2d 679 (2000); *State v. Jennings*, 394 S.C. 473, 716 S.E.2d 91 (2011).

**AFFIRMED.**

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