

**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**

Julius Powell, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2010-154527

Appeal From Lexington County
R. Lawton McIntosh, Post-Conviction Relief Judge
L. Casey Manning, Plea Judge

Unpublished Opinion No. 2012-MO-035
Submitted September 5, 2012 – Filed September 12, 2012

AFFIRMED

Tricia A. Blanchette, of Columbia, for Petitioner.

Attorney General Alan Wilson, Chief Deputy Attorney
General John McIntosh, and Senior Assistant Deputy
Attorney General Salley W. Elliott, all 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 as to petitioner's Question I, dispense with further briefing, 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). The petition for a writ of certiorari is denied as to petitioner's Question II.

Petitioner's convictions and sentences are affirmed pursuant to Rule 220(b)(1), SCACR, and the following authorities: *State v. McKinney*, 278 S.C. 107, 292 S.E.2d 598 (1982) (failure to object at the plea proceeding that the guilty plea is not knowing and voluntary precludes consideration of the issue on appeal).

AFFIRMED.

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