

The South Carolina Court of Appeals

In the Matter of the Care and Treatment of Thomas
Simmons, Appellant.

Appellate Case No. 2011-195906

ORDER

On April 10, 2013, the Supreme Court of South Carolina issued an opinion reversing the jury's determination Appellant is a sexually violent predator. That case was remitted to the circuit court on April 26, 2013. The present appeal pending in this Court stems from Appellant's subsequent petition for release from the sexually violent predator treatment program. The State filed a motion to dismiss the appeal. Appellant did not file a return to the State's motion. Because the reversal of the jury's finding that Appellant is a sexually violent predator makes Appellant's subsequent petition for release moot, this appeal is hereby dismissed. Remittitur will be sent according to Rule 221(b), SCACR.


FOR THE COURT

C.J.

Columbia, South Carolina

cc:

Deborah R.J. Shupe
LaNelle Cantey DuRant
Alan McCrory Wilson

FILED
10/3/13 *cl*