

The Supreme Court of South Carolina

Corey Lamont Rutledge, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2022-001552

Lower Court Case No. 2017CP2200210

ORDER

Petitioner has filed a document that has been construed as a notice of appeal.

Since the public case index for Georgetown County shows that no final judgment or decision has been issued by the circuit court in this post-conviction relief case, the notice of appeal is premature. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006). Accordingly, the notice of appeal is dismissed without prejudice to petitioner's ability to timely serve and file a notice of appeal once a final judgment or decision is issued by the circuit court.

As to petitioner's concern about the delay in the resolution of this case, if it is appropriate to seek mandamus or other relief from this Court, that request must be made by petitioner's counsel. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

Finally, this Court is confident the circuit court will promptly rule on petitioner's motion to relieve counsel and appoint new counsel which has been pending before the circuit court since May 5, 2022.



C.J.

FOR THE COURT

Columbia, South Carolina
November 9, 2022

cc: James Kristian Falk, Esquire
Johnny Ellis James, Jr., Esquire
Mr. Corey Lamont Rutledge, 00246149
The Honorable William H. Seals Jr.
Alan McCrory Wilson, Esquire
Robert Michael Dudek, Esquire