

The Supreme Court of South Carolina

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MAY 30 2013

SC Court of Appeals

Tekoa Glover, #271546, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2013-001122

ORDER

By order dated April 22, 2013, the South Carolina Court of Appeals dismissed the appeal in this matter. When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on May 16, 2013. Petitioner has now filed a notice of appeal dated May 20, 2013, seeking review of the decision of the South Carolina Court of Appeals in this case.

Under Rule 242(a) of the South Carolina Appellate Court Rules (SCACR), this Court will only review a final decision of the Court of Appeals, and a decision is not final for the purposes of review until a petition for rehearing or reinstatement has been acted on by the Court of Appeals. Rule 242(c), SCACR. Since no petition for rehearing or reinstatement has been ruled on by the Court of Appeals since the order of dismissal was issued, there is no final decision for this Court to review.

Further, when no petition for rehearing or reinstatement was received by the Court of Appeals after it issued the order of dismissal, the Court of Appeals properly sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d

551 (2007).

Accordingly, the notice of appeal is dismissed.¹


C.J.
FOR THE COURT

Columbia, South Carolina

May 29, 2013

cc: Christopher D. Florian, Esquire
The Honorable Jana E. Shealy
Ms. Tekoa Glover, 00271546
The Honorable Jenny Kitchings

¹ Review of a decision of the Court of Appeals is sought by serving and filing a petition for a writ of certiorari and an appendix, rather than a notice of appeal. Rule 242(c) and (e), SCACR.