

# The Supreme Court of South Carolina

William McLaughlin,

Petitioner,

v.

State of South Carolina,

Respondent.

Appellate Case No.  
Lower Court Case No. 2016CP4006348  
Appellate Case No. 2023-000746

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## ORDER

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Petitioner has filed a document seeking appellate review in the above post-conviction relief (PCR) case. This document has been construed as a notice of appeal.

The order of the circuit court dismissed the PCR application based on petitioner's request to withdraw the application. The order finds that petitioner's request to withdraw the application was made knowingly, intelligently and voluntarily.

Under *Rush v. State*, 368 S.C. 144, 628 S.E.2d 42 (2006), this order is not appealable.<sup>1</sup> Accordingly, the notice of appeal is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.



C. J.

FOR THE COURT

Columbia, South Carolina  
May 11, 2023

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<sup>1</sup> Since this order was never appealable, it is unnecessary for this Court to consider the timeliness of the notice of appeal or petitioner's assertion he is entitled to a belated review under *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991).