

# The Supreme Court of South Carolina

Tre'Vion Anderson, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2023-000744

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## ORDER

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Petitioner has served and filed a notice of appeal from the trial court's orders, which deny and dismiss Petitioner's application for post-conviction relief, deny Petitioner's motion for reconsideration, and direct the Clerk of Court for Spartanburg County to schedule a hearing on Petitioner's motion to reopen the record and to consider Petitioner's amended complaint. Because this post-conviction relief case has not been finally resolved, the appeal is dismissed without prejudice. *See Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) ("Under Rule [243], SCACR, and S.C. Code Ann. § 17-27-100 (2003), only a final decision or judgment in a post-conviction relief action is subject to review. Any judgment or decree, leaving some further act to be done by the court before the rights of the parties are determined, is interlocutory; but if it so completely fixes the rights of the parties that the court has nothing further to do in the action, then it is final." (citation and internal quotations omitted)). The remittitur will be sent as provided by Rule 221, SCACR.

  
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FOR THE COURT C.J.

Columbia, South Carolina  
May 12, 2023

cc:

Fletcher N. Smith, Jr., Esquire

Megan Harrigan Jameson, Esquire