

The Supreme Court of South Carolina

Horacio Rodriguez, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-001802

ORDER

Petitioner has filed a notice of appeal from an order dismissing the application for post-conviction relief (PCR) based on petitioner's request to withdraw the PCR 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. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.



FOR THE COURT

J.

Columbia, South Carolina
August 29, 2013

cc: W. Barry Bland, Esquire
Suzanne H. White, Esquire