

The Supreme Court of South Carolina

James Anthony Primus, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2013-002442

Lower Court Case No. 2011CP1802455

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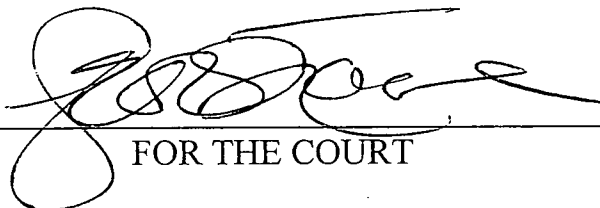
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SC COURT OF APPEALS

ORDER

By order dated November 6, 2013, the South Carolina Court of Appeals denied petitioner's request to proceed *in forma pauperis*.¹ Petitioner has now filed a notice of appeal seeking review of this order of the Court of Appeals, and this filing has been construed as a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules.

Since the Court of Appeals has now issued an order dated November 19, 2013, rescinding the order of November 6, 2013, the petition for a writ of certiorari is dismissed as moot. This also renders moot the motion seeking to have counsel appointed for this matter.

 CJ.
FOR THE COURT

Columbia, South Carolina
November 20, 2013

cc: Alissa Robyn Collins, Esquire
James A. Stuckey, Jr., Esquire
Mr. James Anthony Primus #292315
The Honorable Jenny Abbott Kitchings
The Honorable Cheryl L. Graham

¹ Petitioner has filed two notices of appeal with the Court of Appeals. The first was filed under Appellate Case Number 2013-000051. At the request of the petitioner, the first notice of appeal was dismissed by the Court of Appeals without prejudice and the remittitur has been sent as to that notice of appeal.

The second notice of appeal was initially filed under the same appellate case number. The Court of Appeals has now assigned a separate appellate case number to the second notice of appeal, Appellate Case Number 2013-002447.