

The Supreme Court of South Carolina

Ramon Atienzo-Perez, Petitioner,

v.

State of South Carolina, Respondent.

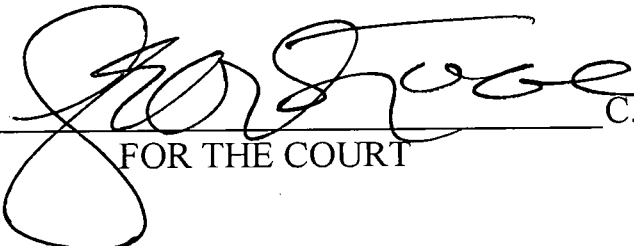
Appellate Case No. 2013-002640

Lower Court Case No. 2011-CP-07-04997

ORDER

Petitioner has served and filed a notice of appeal from a form order dated November 7, 2013. This order indicates that a formal order is to be prepared by the Office of the Attorney General.

Under Rule 243(a) of the South Carolina Appellate Court Rules (SCACR) and S.C. Code Ann. §17-27-100, only a final decision or judgment in a post-conviction relief case is subject to appellate review. *See Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) (defining final decision or judgment). Since the form order being appealed is not the final decision or judgment in this matter, the notice of appeal is hereby dismissed without prejudice to petitioner's ability to timely serve and file a notice of appeal once a final decision or judgment is issued. The remittitur will be sent as provided by Rule 221(b), SCACR.


C.J.
FOR THE COURT

Columbia, South Carolina
December 19, 2013

cc: Carol Ann Miller, Esquire
Ashleigh Rayanna Wilson, Esquire