

# The South Carolina Court of Appeals

The State, Respondent,

v.

Rafeel Santiago Miguel Smith, Appellant.

Appellate Case No. 2026-001225

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## ORDER

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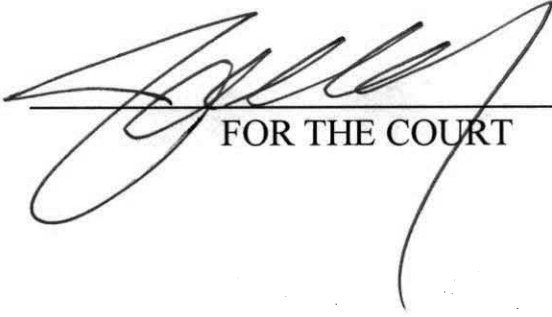
On May 29, 2026, Appellant filed a notice of appeal that indicated he was appealing a conviction and sentence imposed on May 27, 2024, and a denial of a motion for a new trial, which he alleges was dated for and received by Appellant on May 27, 2024. Attached to the notice of appeal was a bail proceeding form dated May 27, 2024.<sup>1</sup> Upon receiving the notice of appeal, this court sent a deficiency letter, noting, among other things, the notice of appeal was not accompanied by the order and/or judgment challenged on appeal and a letter requesting memoranda from the parties regarding the appealability of the order on appeal.

On July 10, 2026, Respondent filed its memorandum, explaining the indictment Appellant appears to be appealing from was voluntarily dismissed for reasons of prosecutorial discretion on January 7, 2026. On July 23, 2026, Appellant filed two memorandums, alleging various discovery, due process, and jurisdictional violations. Appellant also refiled his May 27, 2024 bail proceeding form.

After considering both parties' memoranda, we dismiss the appeal. *See State v. Wilson*, 387 S.C. 597, 603, 693 S.E.2d 923, 926 (2010) (noting "the general rule that a defendant may not appeal until after he is convicted and sentenced"). Remittitur will issue in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.

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<sup>1</sup> Appellant has provided no order or judgment to this court.

  
\_\_\_\_\_. J.  
FOR THE COURT

Columbia, South Carolina

cc:

Rafeel Santiago Miguel Smith  
Alan McCrory Wilson, Esquire  
Mark Reynolds Farthing, Esquire  
Kasey Eaman Rose Knox, Esquire

**FILED**  
**Jul 31 2026**