

The South Carolina Court of Appeals

The State, Respondent,

v.

Marc Hubbard, Appellant.

Appellate Case No. 2013-002751

ORDER

Appellant filed a pro se notice of appeal from the denial of a pretrial motion to dismiss. Appellant failed to file proof he timely served Respondent with the notice of appeal pursuant to Rule 203(d)(1)(B)(i) of the South Carolina Appellate Court Rules. *See* Rule 263, SCACR ("The time prescribed by these Rules for performing any act except the time for serving the notice of appeal . . . may be extended or shortened . . ."). Additionally, the order Appellant seeks to appeal is not an immediately appealable order. *See State v. Miller*, 289 S.C. 426, 346 S.E.2d 705 (1986) (holding a criminal defendant may not generally appeal until sentence is imposed). For these reasons, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Columbia, South Carolina

cc:

Marc Hubbard

Heather Savitz Weiss, Esquire

Salley W. Elliott, Esquire

Alan McCrory Wilson, Esquire

Oshun Cyrus Hinton, Esquire


FOR THE COURT

FILED

3/27/14