

The Supreme Court of South Carolina

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SC Court of Appeals

Steve Menius, #298627, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-001399

Lower Court or Tribunal No. 2014ALJ040058AP

ORDER

By order dated June 12, 2014, the South Carolina Court of Appeals dismissed the appeal in this matter.¹ No petition for rehearing or reinstatement has apparently been filed with the Court of Appeals.

Petitioner has now filed a petition for a writ of certiorari dated June 25, 2014, seeking review of the decision of the Court of Appeals in this matter. The documents attached to this petition have been construed to be the appendix.

The petition is dismissed for two reasons. First, petitioner has not provided a proof of service showing that a copy of the petition for a writ of certiorari and appendix has been served on the opposing counsel as required by Rule 242(c) and (e) of the South Carolina Appellate Court Rules (SCACR).

Second, under Rule 242(a), SCACR, this Court will only review a final decision of the Court of Appeals, and a decision is not final for the purposes of review until a petition for rehearing or reinstatement has been acted on by the Court of Appeals. Rule 242(c), SCACR. Since no petition for rehearing or reinstatement has been

¹ Before the Court of Appeals, the Appellate Case Number was 2014-000317.

ruled on by the Court of Appeals in this matter, there is no final decision for this Court to review.

Accordingly, the petition for a writ of certiorari is dismissed.



FOR THE COURT C.J.

Columbia, South Carolina

July 1, 2014

cc: Christopher D. Florian, Esquire
Mr. Steve Menius, 298627
The Honorable Jenny Abbott Kitchings