

The Supreme Court of South Carolina

Elliot J. Brown, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-001144

ORDER

Petitioner has filed a motion to recall the remittitur and reinstate the notice of appeal in his matter. The motion is denied. *Wise v. S.C. Dep't of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007)(when the remittitur has been properly sent, the appellate court no longer has jurisdiction over the matter and no motion can be heard thereafter; the only exception is when the remittitur is sent down by mistake, error or inadvertence of the Court). Petitioner is reminded that he may seek relief pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991) in the lower court.


C.J.
FOR THE COURT

Columbia, South Carolina

July 11, 2014

cc:

Caroline M.W. Horlbeck, Esquire

Karen Christine Ratigan, Esquire

Elliott J. Brown