

The Supreme Court of South Carolina

Billy Lee Lisenby, Jr., #200273, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-001605¹

ORDER

By order dated June 19, 2014, the South Carolina Court of Appeals dismissed the appeal in this matter. When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on July 15, 2014. Petitioner has now filed a petition for a writ of certiorari dated July 21, 2014, seeking review of the decision of the South Carolina Court of Appeals in this matter.


Under Rule 242(a) of the South Carolina Appellate Court Rules (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 ruled on by the Court of Appeals in this matter, there is no final decision for this Court to review.

Further, when no petition for rehearing or reinstatement was received by the Court of Appeals, the Court of Appeals sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C.*

¹ Before the Court of Appeals, the Appellate Case Number was 2014-001190.

Dept. of Corr., 372 S.C. 173, 642 S.E.2d 551 (2007).

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



FOR THE COURT

J.

Columbia, South Carolina

July 25, 2014

cc: Christopher D. Florian, Esquire
Billy Lee Lisenby, Jr., #200273
The Honorable Jenny Abbott Kitchings
The Honorable Jana E. Shealy