

The Supreme Court of South Carolina

Jamin Mazyck, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2014-000731

ORDER

By order dated June 4, 2014, this matter was dismissed. Therefore, under Rule 221 of the South Carolina Appellate Court Rules (SCACR), any petition for rehearing had to be *actually received* by this Court on or before on or June 19, 2014. When no petition for rehearing was received by that date, the remittitur was sent on June 20, 2014.

On July 3, 2014, this Court received a *pro se* petition for rehearing dated June 27, 2014. This petition for rehearing is dismissed for several reasons.

First, the *pro se* motion for rehearing cannot be accepted for filing since petitioner is represented by counsel in this matter.¹ *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

Second, the petition for rehearing is untimely under Rule 221, SCACR.

¹ Counsel can only be relieved upon written order of this Court and no such order has been issued by this Court. Rule 264, SCACR (counsel may only be relieved on written order of the appellate court); *see also* Rule 71.1(g) of the South Carolina Rules of Civil Procedure (continuing representation on appeal in post-conviction relief cases).

Third, since the remittitur has been properly sent, appellate jurisdiction has ended and no further motion or petition can be considered. *Wise v. South Carolina Dept. of Corrections*, 372 S.C. 173, 642 S.E.2d 551 (2007).

Accordingly, the petition for rehearing is hereby dismissed.



J.

FOR THE COURT

Columbia, South Carolina

July 25, 2014

cc: Belinda Montio Davis-Branch, Esquire
Megan E. Harrigan, Esquire
Mr. Jamin Mazyck, #238056