

# The Supreme Court of South Carolina

Jason Kelly, #287190, Petitioner,

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-001548

**RECEIVED**  
v.

JUL 23 2014

**SC Court of Appeals**

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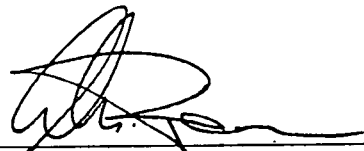
## ORDER

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By order dated June 30, 2014, the South Carolina Court of Appeals denied petitioner's request to proceed without paying the filing fee. This order gave him fifteen days to pay the fee. While the fee has apparently not been paid, no order of dismissal has been issued by the Court of Appeals.

Petitioner has now filed a notice of appeal seeking review of the order of June 30, 2014. Since decisions of the Court of Appeals are reviewed by serving and filing a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR), the notice of appeal has been construed as a petition for a writ of certiorari.

Since the above order is not the final decision of the Court of Appeals in the appeal, the petition for a writ of certiorari is dismissed without prejudice to petitioner's ability to timely seek review under Rule 242; SCACR, once the Court of Appeals issues a final decision. *See* Rule 242 (a) and (c), SCACR (only a final decision is reviewable and defining what is a final decision).



FOR THE COURT

J.

Columbia, South Carolina

July 22, 2014

cc: Christopher D. Florian, Esquire  
Mr. Jason Kelly, 287190  
The Honorable Jenny Abbot Kitchings