



The Supreme Court of South Carolina

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October 15, 2014

Mr. Heyward Davis, Jr., #321720
McCormick Correctional Institution
386 Redemption Way
McCormick SC 29899

Re: Heyward Davis, Jr. v. The State
Appellate Case No. 2012-213604

Dear Mr. Davis:

This responds to your *pro se* petition for rehearing dated and postmarked October 9, 2014. This document was received by this Court on October 14, 2014. No action will be taken on this petition for several reasons.

First, since you are represented by counsel in this matter, no action can be taken on this *pro se* petition *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 order denying certiorari in this matter was filed on September 24, 2014. Under Rule 221(a), SCACR, any petition for rehearing had to be *actually received* by this Court on or before October 9, 2014. Therefore, your request for rehearing is untimely.

Finally, the remittitur was sent in this matter on October 13, 2014. The sending of

the remittitur ended this Court's jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

Accordingly, no action will be taken on your *pro se* petition for rehearing.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

cc: Carmen Vaughn Ganjehsani, Esquire
Joshua Lee Thomas, Esquire