

# The Supreme Court of South Carolina

Albarr-Ali Abdullah, #191449, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-002753

Lower Court Case No. 2013ALJ040705AP

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## ORDER

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By order dated November 9, 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 December 8, 2014.<sup>1</sup>

Petitioner has now filed a notice of appeal dated December 17, 2014, seeking review of the decision of the Court of Appeals. Since review of a decision of the Court of Appeals is commenced 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.

Under Rule 242(a), 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.

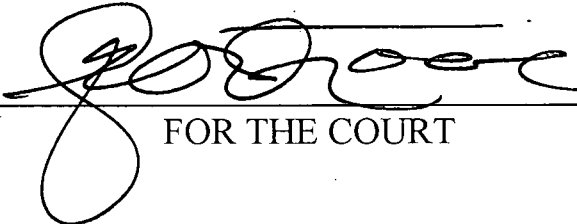
Further, when no petition for rehearing or reinstatement was received by the Court of Appeals, the Court of Appeals sent the remittitur. Rule 221, SCACR. The

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<sup>1</sup> Before the Court of Appeals, the Appellate Case Number was 2014-002753.

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

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

  
C.J.  
FOR THE COURT

Columbia, South Carolina  
January 7, 2015

cc: Daniel John Crooks, III, Esquire  
Mr. Albarr-Ali-Abdullah, 191449  
The Honorable Jenny Abbott Kitchings  
The Honorable Jana E. Shealy