

The Supreme Court of South Carolina

George M. Adams, #181283, Petitioner,

v.

South Carolina Department of Probation, Parole and
Pardon Services, Respondent.

Appellate Case No. 2015-000203

Lower Court or Tribunal No. 2013ALJ150005AP

ORDER

By order dated December 15, 2014, the South Carolina Court of Appeals dismissed the appeal in this matter. When no petition for rehearing or reinstatement was received regarding that order, the Court of Appeals sent the remittitur on January 2, 2015.¹

Petitioner has now filed a notice of appeal dated January 29, 2015, seeking review of the decision of the South Carolina Court of Appeals in this matter. 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) 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 regarding the December 15, 2014, order has been ruled on by the Court of Appeals, there is no final decision for this Court to review.

¹ Before the Court of Appeals, the Appellate Case Number was 2013-001561.

Further, when no petition for rehearing or reinstatement was received by the Court of Appeals, the Court of Appeals properly sent the remittitur. Rule 221, SCACR. The 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
February 5, 2015

cc: Tommy Evans, Jr., Esquire
The Honorable Jana E. Shealy
Mr. George M. Adams, 181283
The Honorable Jenny Kitchings