

# The Supreme Court of South Carolina

Billy Lisenby, #200273, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2015-000273

Lower Court Case No. 2013ALJ040200AP

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## ORDER

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By opinion dated January 14, 2015, the South Carolina Court of Appeals affirmed the order of the Administrative Law Court. When no petition for rehearing was received, the Court of Appeals sent the remittitur on January 30, 2015.<sup>1</sup> Petitioner has now filed a petition for a writ of certiorari dated February 9, 2015, seeking review of the decision of the South Carolina Court of Appeals in this matter.

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 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 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*

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<sup>1</sup> Before the South Carolina Court of Appeals, the Appellate Case Number was 2013-002276.

*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 18, 2015

cc: Shanika Kenyetta Johnson, Esquire  
Daniel John Crooks, III, Esquire  
Billy Lisenby, 200273  
The Honorable Jenny Kitchings  
The Honorable Jana E. Shealy