

# The Supreme Court of South Carolina

Darell A. Merritt, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-000695

Lower Court Case No. 2014CP2401123

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## ORDER

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Petitioner has filed documents that have been construed as a *pro se* notice of appeal. The order of the circuit court dismissed this post-conviction relief (PCR) application based on petitioner's request to withdraw the PCR application. The order finds that petitioner's request to withdraw the application was made knowingly, intelligently and voluntarily.<sup>1</sup>

Under *Rush v. State*, 368 S.C. 144, 628 S.E.2d 42 (2006), this order is not appealable. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

  
C.J.  
FOR THE COURT

Columbia, South Carolina  
April 8, 2015

cc: James Rutledge Johnson, Esquire  
Laura McCall Saunders, Esquire  
Mr. Darell A. Merritt, #201444

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<sup>1</sup> While petitioner has filed the notice of appeal *pro se*, we remind his counsel below that she remains his counsel of record before this Court. Rule 71.1(g) of the South Carolina Rules of Civil Procedure and Rule 264(b) of the South Carolina Appellate Court Rules.