

The Supreme Court of South Carolina

Heyward Rogers, 278510, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2015-001223

ORDER

By order dated May 27, 2015, the South Carolina Court of Appeals denied petitioner's request to proceed *in forma pauperis* and denied his motion to appoint counsel. Petitioner has now filed a notice of appeal seeking review of this order of the Court of Appeals.¹ Since review of a decision of the Court of Appeals is commenced by serving and filing a petition for a writ of certiorari and appendix, the notice of appeal has been construed as a petition for a writ of certiorari.

Under Rule 242 of the South Carolina Appellate Court Rules, this Court will only review a final decision of the Court of Appeals. Since the Court of Appeals has not issued a final decision in this matter, the petition for a writ of certiorari is dismissed without prejudice. *Aiken Speir Inc. v. Henry*, 326 S.C. 268, 486 S.E.2d 492 (1997).



C.J.
FOR THE COURT

Columbia, South Carolina

June 9, 2015

cc: Daniel John Crooks, III, Esquire
Mr. Heyward Rogers, 278510
The Honorable Jenny Abbott Kitchings

¹ Before the Court of Appeals, the Appellate Case Number is 2015-000374.