

# The Supreme Court of South Carolina

Dameon Myers, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-001770

Lower Court Case No. 2012CP2201132

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## ORDER

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Petitioner's request to stay this matter is denied. Instead, if a timely Rule 59, SCRCP, motion is still pending before the circuit court,<sup>1</sup> petitioner should make a motion to dismiss this appellate proceeding without prejudice under *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986). Any request to dismiss this matter under *Hudson* should be accompanied by a copy of the Rule 59 motion showing it has been filed with the circuit court.



Columbia, South Carolina  
November 10, 2015



C.J.  
FOR THE COURT

cc: Jessica Elizabeth Kinard, Esquire  
Mr. Dameon Myers, #279666  
SC Division of Appellate Defense

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<sup>1</sup> The public case index for Georgetown County does not reflect that any Rule 59 motion has been filed since the order under appeal was filed on June 26, 2015.