

The Supreme Court of South Carolina

Kevin Tal Canty, Petitioner,

v.

State of South Carolina, Respondent.

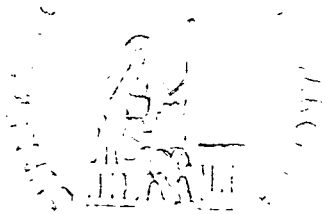
Appellate Case No. 2015-002477

Lower Court Case No. 2015CP4300229

ORDER

Petitioner has served and filed a notice of appeal from a form order dated November 17, 2015. This order indicates that a full written order is to follow.

Under Rule 243(a) of the South Carolina Appellate Court Rules (SCACR) and S.C. Code Ann. §17-27-100, only a final decision or judgment in a post-conviction relief case is subject to appellate review. *See Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) (defining final decision or judgment). Since the form order being appealed is not the final decision or judgment in this matter, the notice of appeal is hereby dismissed without prejudice to petitioner's ability to timely serve and file a notice of appeal once a final decision or judgment is issued. The remittitur will be sent as provided by Rule 221(b), SCACR.


Columbia, South Carolina
December 9, 2015


C.J.
FOR THE COURT

cc: Timothy Lee Griffith, Esquire
Daniel Francis Gourley, II, Esquire