

# The Supreme Court of South Carolina

Noel Gray, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-002615

Lower Court Case No. 2015CP0201730

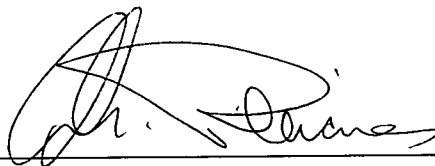
---

## ORDER

---

Petitioner has filed a notice of appeal in this post-conviction relief case. The order that petitioner has provided with the notice of appeal is a conditional order of dismissal which was filed with the clerk of the circuit court on November 16, 2015.<sup>1</sup>

Since a conditional order of dismissal is not an appealable order, the notice of appeal is dismissed without prejudice to petitioner's ability to timely serve and file a new notice of appeal once a final order is filed in this case. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006). 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  
January 8, 2016

cc: Daniel Francis Gourley, II, Esquire  
Noel E. Gray, Jr., #307590

---

<sup>1</sup> The public case index for Aiken County fails to reflect that a final order has been filed in this case.