

The South Carolina Court of Appeals

The State, Respondent,

v.

Brian Talkington, Appellant.

Appellate Case No. 2015-002331

ORDER

After careful consideration, this appeal is dismissed because the underlying order is not immediately appealable. *See State v. Miller*, 289 S.C. 426, 426-27, 346 S.E.2d 705, 705-06 (1986) ("In South Carolina, a criminal defendant may not appeal until sentence has been imposed. Consistent with this rule, an order denying a double jeopardy claim is not immediately appealable." (citations omitted)).¹ The remittitur will be sent as required by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

Neal Douglas Truslow, Esquire
Hans William Pauling, Esquire
Joseph Yechiel Shenkar, Esquire
Alan McCrory Wilson, Esquire

FILED
2016/12/29

¹ To the extent Appellant has requested this court to treat the notice of appeal as a "petition to the appropriate Court for a writ of prohibition and/or mandamus," that request is denied.