

The Supreme Court of South Carolina

George Cleveland. III, #357770, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2016-000701

Lower Court or Tribunal Case Number 2014ALJ040664AP

ORDER

By order dated May 19, 2015, the South Carolina Court of Appeals dismissed the appeal in this matter. When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on June 4, 2015.¹

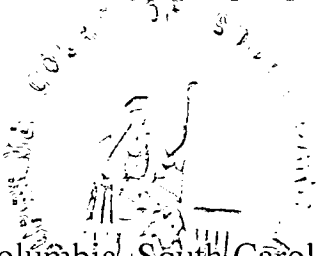
Petitioner has now filed a petition for a writ of certiorari with this Court, seeking review of the decision of the South Carolina Court of Appeals in this matter. This petition is dated March 18, 2016.

Under Rule 242(a) of the South Carolina Appellate Court Rules (SCACR), this Court will only review a final decision of the Court of Appeals, and a decision is not final for the purposes of review until a petition for rehearing or reinstatement has been acted on by the Court of Appeals. Rule 242(c), SCACR. Since no petition for rehearing or reinstatement has been ruled on by the Court of Appeals in this matter, there is no final decision for this Court to review.

Further, when no petition for rehearing or reinstatement was received by the Court of Appeals, the Court of Appeals sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

¹ Before the Court of Appeals, the Appellate Case Number was 2015-000957.

Accordingly, the petition for a writ of certiorari is dismissed. The motion to proceed *in forma pauperis* is denied as moot.



Columbia, South Carolina

April 5th, 2016

A handwritten signature in black ink, appearing to read "M. Davis".

C.J.

FOR THE COURT

cc: Christina Catoe Bigelow, Esquire
Mr. George Cleveland, III
The Honorable Jenny Abbott Kitchings