

The Supreme Court of South Carolina

Kevin Wayne McDaniels, #254398, Petitioner,

v.

State of South Carolina, Respondent

Appellate Case No. 2016-000807

Lower Court Case No. 2014CP42200506

ORDER

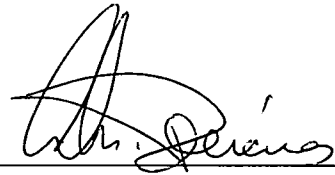
Petitioner has filed a *pro se* notice of appeal in this case.

The public case index for Spartanburg County indicates that no final order has been issued in this case. Accordingly, the notice of appeal is dismissed without prejudice to petitioner's ability to serve and file a notice of appeal once a final order is issued. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) (by statute and rule, "only a final decision or judgment in a post-conviction relief case is subject to review."). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

As to the motions that petitioner has filed with this Court relating to this case, these motions cannot be accepted for filing and no action will be taken on them since petitioner is represented by counsel in this case. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

Finally, if petitioner believes that he has good cause to relieve his counsel, then that is a matter that he will need to raise by appropriate motion to the circuit court

where the case is pending.



C.J.

FOR THE COURT

Columbia, South Carolina
April 27, 2016

cc: Office of the Attorney General
John Brandt Rucker, Esquire
Mr. Kevin McDaniels