The Supreme Court of South Carolina

T. Terrell Bryan, #254638, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-212993
Lower Court or Tribunal No. 2011AL041005AP

ORDER

By order dated April 12, 2012, the South Carolina Court of Appeals dismissed the appeal in this matter. *Bryan v. South Carolina Department of Corrections*, Appellate Case No. 2012-210866. Although petitioner filed a motion for reconsideration, the Court of Appeals advised him that this filing was deficient since it was not accompanied by a proof of service or the filing fee required by Rule 240, SCACR.

Although provided with additional time to correct these deficiencies, petitioner made no further filings with the Court of Appeals. On August 14, 2012, the Court of Appeals sent the remittitur. By petition for writ of certiorari dated September 17, 2012, petitioner now seeks review of the decision of the Court of Appeals.

Without a proof of service, the motion for reconsideration was not a *proper* petition for reinstatement or rehearing. Therefore, the Court of Appeals properly sent the remittitur under Rule 221, SCACR, and the sending of the remittitur ended appellate jurisdiction over this case. *Wise v. South Carolina Dept. of Corrections*, 372 S.C. 173, 642 S.E.2d 551 (2007). Accordingly, the petition for a writ of

certiorari is dismissed.

C.J.

FOR THE COURT

Columbia, South Carolina
October 1, 2012

cc: Mr. T. Terrell Bryan, 00254638
The Honorable Jenny Abbott Kitchings
The Honorable Jana Shealy
Christopher D. Florian
The Honorable John D. McLeod