

The Supreme Court of South Carolina

Reginald A. Dicks, #229263, Petitioner,

v.

South Carolina Department of Probation, Parole, and
Pardon Services, Respondent.

Appellate Case No. 2012-213045

ORDER

By order dated August 22, 2012, the South Carolina Court of Appeals dismissed the appeal in this matter.¹ When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on September 11, 2012.

Petitioner has now filed a notice of appeal dated September 27, 2012, seeking review of the decision of the South Carolina Court of Appeals in this matter. Since decisions of the Court of Appeals are reviewed by serving a petition for a writ of certiorari and appendix under Rule 242 of the South Carolina Appellate Court Rules (SCACR), this filing has been construed as a petition for a writ of certiorari.

Under Rule 242(a), 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 properly sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v.*

¹ The Court of Appeals' Appellate Case Number is 2012-212646.

S.C. Dept. of Corr., 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 8, 2012

cc: Christopher D. Florian, Esquire
Mr. Reginald Dicks; 00229263
The Honorable Jenny Abbott Kitchings
The Honorable Jana E. Shealy