

# The Supreme Court of South Carolina

Derrick Haigler, #210521, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-213121

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## ORDER

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The South Carolina Court of Appeals filed its opinion in this matter on August 29, 2012. Under Rule 221 of the South Carolina Appellate Court Rules (SCACR), any petition for rehearing had to be *actually received* by the Court of Appeals on or before September 13, 2012. When no petition for rehearing was received by that date, the Court of Appeals sent the remittitur on September 14, 2012.

On September 24, 2012, the Court of Appeals received a petition for rehearing dated September 17, 2012. The Court of Appeals rejected this untimely petition for rehearing since the remittitur had been sent. Petitioner has now filed a petition for a writ of certiorari with this Court seeking review of the decision of the Court of Appeals.

When no petition for rehearing was received by the Court of Appeals within the time specified by Rule 221, SCACR, the Court of Appeals properly sent the remittitur. 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). Accordingly, the petition for a writ of certiorari is dismissed.



C.J.

FOR THE COURT

Columbia, South Carolina  
October 18, 2012

cc: Christopher D. Florian, Esquire  
Mr. Derrick Haigler, 00210521  
The Honorable Jenny Abbott Kitchings