

The Supreme Court of South Carolina

Dominic A. Leggette, Petitioner,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2016-001207

Lower Court Case No. 2015CP2200521

ORDER

Petitioner has served and filed a notice of appeal from a form order dated May 13, 2016. While the block is checked to indicate that this form order ends the action, the order states that the "PCR Hearing is Under Advisement."

Under Rule 243(a) of the South Carolina Appellate Court Rules (SCACR) and S.C. Code Ann. §17-27-100, only a final decision or judgment in a post-conviction relief case is subject to appellate review. *See Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) (defining final decision or judgment). Since the form order being appealed is apparently not the final decision or judgment in this matter, the notice of appeal is hereby dismissed without prejudice to petitioner's ability to timely serve and file a notice of appeal once a final decision or judgment is issued. The remittitur will be sent as provided by Rule 221(b), SCACR.



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

C.J.

FOR THE COURT

Columbia, South Carolina
July 18, 2016

cc: Steven Willard Fowler, Esquire
Robert Michael Dudek, Esquire
Caitlin Bazan Hastings, Esquire
The Honorable Paul M. Burch