

The Supreme Court of South Carolina

Raymond Edward Chestnut, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-002104

Lower Court Case No. 2015CP2602371

ORDER

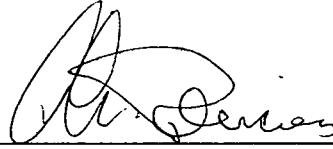
In this post-conviction relief (PCR) case, petitioner has filed a notice of appeal from an order imposing restrictions on future filings. The public case index for Horry County shows that a conditional order of dismissal has been issued, but that no final decision has been issued by the circuit court in this case.

By statute and rule, only a final decision or judgment is subject to appellate review. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006).¹ Since no final decision or judgment has been issued in this case, the notice of appeal is dismissed without prejudice to petitioner's right to seek appellate review once a final decision or

¹ This opinion states:

Under [Rule 243 of the South Carolina Appellate Court Rules], and S.C.Code Ann. § 17-27-100 (2003), only a final decision or judgment in a post-conviction relief action is subject to review. “Any judgment or decree, leaving some further act to be done by the court before the rights of the parties are determined, is interlocutory; but if it so completely fixes the rights of the parties that the court has nothing further to do in the action, then it is final.” [citations omitted].

judgment has been issued by the circuit court.



C.J.

FOR THE COURT

Columbia, South Carolina

October 19, 2016

cc: Mr. Raymond Edward Chestnut
Alan McCrory Wilson, Esquire