

The South Carolina Court of Appeals

Tyrone Perry, Appellant,

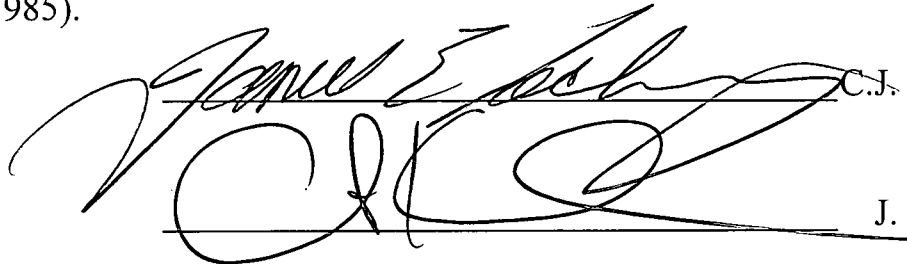
v.

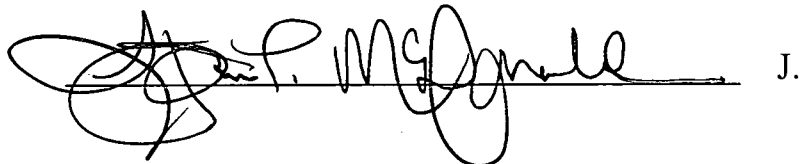
South Carolina Department of Corrections, Respondent.

Appellate Case No. 2016-001606

ORDER

This appeal was dismissed without prejudice because Appellant's Rule 59(e), SCRCP motion is pending in the circuit court. Appellant has now filed a petition for rehearing, which we construe as a motion to reinstate the appeal. After careful consideration, we deny the motion. Because this appeal was dismissed without prejudice, nothing prevents Appellant from appealing after the circuit court rules on Appellant's Rule 59(e), SCRCP motion. *See Otten v. Otten*, 287 S.C. 166, 167, 337 S.E.2d 207, 208 (1985).

 C.J.
J.

 J.

Columbia, South Carolina

cc: The Honorable D. Craig Brown
The Honorable Jeanette W. McBride
Tyrone Perry, 307793
Stephen Hollis Lunsford, Esquire

FILED

November 7, 2016