

The Supreme Court of South Carolina

The State, Respondent,

v.

James C. Williams, Petitioner.

Appellate Case No. 2016-002399

ORDER

By opinion dated November 9, 2016, the South Carolina Court of Appeals affirmed the denial of a motion for a new trial by the court of general sessions. When no petition for rehearing was received, the Court of Appeals sent the remittitur on November 29, 2016.¹

Petitioner has now filed a petition for a writ of certiorari seeking review of the decision of the South Carolina Court of Appeals in this matter, along with a motion which apparently seeks to compel the Court of Appeals to issue a more complete opinion. While dated November 24, 2016, this petition and motion were not received by this Court until November 30, 2016.

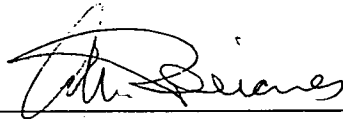
Under Rule 242(a) of the South Carolina Appellate Court Rules (SCACR), this Court will only review a final decision of the Court of Appeals, and a decision is not final for the purposes of review until a petition for rehearing or reinstatement has been acted on by the Court of Appeals. Rule 242(c), SCACR. Since no petition for rehearing 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 was received by the Court of Appeals following the filing of the opinion, the Court of Appeals properly sent the

¹ Before the Court of Appeals, the Appellate Case Number was 2013-001849.

remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case, and no further motions or petitions can be considered by either appellate court. *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 and the motion are dismissed.



C.J.

FOR THE COURT

Columbia, South Carolina
December 1, 2016

cc: Donald J. Zelenka, Esquire
Alan McCrory Wilson, Esquire
J. Anthony Mabry, Esquire
John W. McIntosh, Esquire
Mr. James C. Williams, #282929