

# The South Carolina Court of Appeals

George Cleveland #357770, Appellant,

v.

South Carolina Department of Corrections, Respondent.


Appellate Case No. 2016-001033

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## ORDER

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On January 11, 2017, the Supreme Court of South Carolina denied Appellant's motion for an extension of time to serve and file a petition for a writ of certiorari.<sup>1</sup> Because no timely petition for a writ of certiorari was filed with the Supreme Court, this court sent down the remittitur on January 13, 2017. Appellant has now filed a motion to recall the remittitur. A remittitur cannot be recalled except upon "a very strong showing . . . that remittitur was sent down through some mistake or inadvertence on the part of this Court or its officer." *State v. Keels*, 39 S.C. 553, 17 S.E. 802 (1893). Appellant has failed to make such a showing. Because the remittitur was properly sent, this Court no longer has jurisdiction over the case. Appellant's motion to recall remittitur, therefore, is denied.<sup>2</sup>

  
FOR THE COURT

Columbia, South Carolina

**FILED**

March 23, 2017

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<sup>1</sup> The Supreme Court assigned the new Appellate Case No. 2016-002410 for the action while the motion was pending before the Supreme Court.

<sup>2</sup> Because the motion to recall the remittitur is denied, this Court declines to act on Appellant's successive motion to proceed *in forma pauperis*.

cc:

George Cleveland #357770

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Jana E. Shealy