

The Supreme Court of South Carolina

Walter J. McQuine, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-000897

Lower Court Case No. 2013CP1500214

ORDER

Petitioner has filed a notice of appeal in response to a letter written by a law clerk to a circuit court judge. According to the public case index for Colleton County, a conditional order of dismissal has been filed in this case, but no final order of dismissal has been filed in this case.¹

Since no final decision or judgment has been filed in the circuit court, the notice of appeal is dismissed without prejudice to petitioner's ability to timely serve and file a notice of appeal once a final decision or judgment has been filed in this case. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) (by statute and rule, only a final decision or judgment is subject to review in a post-conviction relief case). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.



C.J.

FOR THE COURT

Columbia, South Carolina

April 19, 2017

¹ The conditional order of dismissal was filed in December 2014. It is unclear why no further action has been taken by the circuit court in this case. This Court is confident that the circuit court will promptly proceed to take whatever action is appropriate.

cc: Ruston Wesley Neely, Esquire
Mr. Walter J. McQune, 299882
The Honorable Perry M. Buckner