

The Supreme Court of South Carolina

Gregory L. Campbell (SCDC #363559), Petitioner,

v.

State of South Carolina and Attorney General Alan
McCrory Wilson, Respondents.

Appellate Case No. 2017-000893

ORDER

By order dated December 16, 2016, the South Carolina Court of Appeals dismissed the appeal in this matter. When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on January 5, 2017.¹

Petitioner has now filed a notice of appeal dated April 13, 2017, seeking review of the decision of the South Carolina Court of Appeals in this matter. Since decisions of the Court of Appeals are reviewed by serving and filing a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR), this notice of appeal has been construed as a petition for a writ of certiorari.

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 or reinstatement 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 or reinstatement was received by the Court of Appeals, the Court of Appeals properly sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

¹ Before the Court of Appeals, the Appellate Case Number was 2016-002320.

Accordingly, the petition for a writ of certiorari is dismissed. The motion to proceed *in forma pauperis* is denied as moot.



Columbia, South Carolina
April 19, 2017



FOR THE COURT C.J.

cc: Leslie A. Cotter, Jr., Esquire
Mr. Gregory L. Campbell
The Honorable Jenny Abbott Kitchings
The Honorable Alma Y. White