

The Supreme Court of South Carolina

Johnell Porter, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-001120

Lower Court Case No. 2015CP4601186

ORDER

Petitioner has filed a *pro se* notice of appeal from an order which (1) granted petitioner's request to relieve counsel; (2) declined to appoint new counsel; and (3) determined that petitioner would be proceeding *pro se*.

By statute and court rule, only a final decision or judgment in a post-conviction relief case is subject to appellate review. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006). Since no final decision or judgment has been filed in this case, 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 is filed with the clerk of the circuit court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.



FOR THE COURT

C.J.

Columbia, South Carolina
May 16, 2017

cc: Mr. Nathan James Sheldon, Esquire
Justin James Hunter, Esquire
Mr. Johnell Porter