

The Supreme Court of South Carolina

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Jeffrey Lynn Chronister #189827, Appellant,

MAY 18 2017

v.

SC Court of Appeals

State of South Carolina, York County Public Defender's Office, the Sheriff of York County, and the Commission on Judicial Conduct, Respondents.

Appellate Case No. 2017-001039

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ORDER

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The appeal in this case is pending before the South Carolina Court of Appeals.<sup>1</sup> Petitioner has filed a notice of appeal from an order of the Court of Appeals denying his request to proceed *in forma pauperis*. 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 document has been construed as a petition for a writ of certiorari.


Under Rule 242(a), 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 there is currently no final decision of the Court of Appeals in this case,<sup>2</sup> the petition for a writ of certiorari is dismissed without prejudice to petitioner's ability to timely seek review under Rule 242, SCACR, once a final decision has been issued by the Court of Appeals. The motion to

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<sup>1</sup> Before the Court of Appeals, the Appellate Case Number is 2017-000668.

<sup>2</sup> Since the filing of the petition with this Court, the Court of Appeals has issued an order dismissing the appeal. The Court of Appeals has not acted on any petition for rehearing or reinstatement regarding that order.

proceed before this Court without paying the filing fee is denied as moot.



Columbia, South Carolina  
May 17, 2017

  
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FOR THE COURT C.J.

cc: Robert David Garfield, Esquire  
Andrew F. Lindemann, Esquire  
Mr. Jeffrey Lynn Chronister #189827  
The Honorable Jenny Kitchings