

The Supreme Court of South Carolina

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May 30, 2017

The Honorable Alma Y. White
PO Box 479
Georgetown SC 29442-0479

REMITTITUR

Re: Terron Dizzely v. State
Lower Court Case No. 2015CP2200845
Appellate Case No. 2017-001085

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc:

Alan McCrory Wilson, Esquire
James Kristian Falk, Esquire
Terron Dizzely, 359480

The Supreme Court of South Carolina

Terron Dizzely, Petitioner,

v.

State of South Carolina, Respondent.

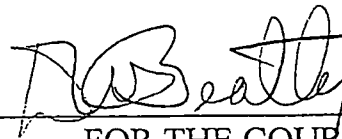
Appellate Case No. 2017-001085

Lower Court Case No. 2015CP2200845

ORDER

Petitioner has filed a *pro se* notice of appeal from an order denying his request to relieve counsel and to appoint new counsel. The order also granted a continuance regarding the evidentiary hearing to be held in this case.

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 request to be represented by the Division of Appellate Defense is denied as moot. 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
May 11, 2017

cc: Alan McCrory Wilson, Esquire
Mr. Terron Dizzely, 359480
James K. Falk, Esquire
Division of Appellate Defense