

The Supreme Court of South Carolina

The State, Respondent,

v.

Joshua Cramer, Appellant.

Appellate Case No. 2017-001286

Lower Court Case Nos. 1998-GS-46-01015, -01016,
-02192

ORDER

In September 2016, Petitioner apparently tried to file a motion seeking resentencing under *Aiken v. Byars*, 410 S.C. 534, 765 S.E.2d 572 (2014), with the court of general sessions.¹ After a deputy circuit solicitor informed petitioner by letter that he was not eligible for a resentencing hearing, appellant has filed a notice of appeal from the "decision" of the deputy solicitor.

In a general sessions case, an appeal to this Court or the South Carolina Court of Appeals only lies from an order or judgment of the court of general sessions. S.C. Code Ann. §§ 14-3-330 and 14-8-200; Rule 203 of the South Carolina Appellate Court Rules (SCACR). Since no order has been issued by a circuit court judge regarding the motion for resentencing, this appeal is not proper, and the notice of appeal is hereby dismissed. The remittitur will be sent as provided by Rule 221,

¹ The Public Case Index for York County does not reflect that this motion has been entered in any of these cases. A copy of this order shall be provided to the Chief Judge for Administrative Purposes for the Sixteenth Judicial Circuit to determine if the motion for resentencing has in fact been filed in these cases, and if so, to ensure that it is processed in the manner specified by in the Administrative Order reported at 415 S.C. 460, 783 S.E.2d 534 (2016).

SCACR.


D.W. Beatty C.J.
FOR THE COURT

Columbia, South Carolina
June 7, 2017

cc: Mr. Joshua Kerr Cramer, #251406
Alan McCrory Wilson, Esquire
Solicitor Kevin S. Brackett
The Honorable John C. Hayes, III