



The Supreme Court of South Carolina

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June 23, 2017

The Honorable David Hamilton
Clerk of Court, York County
PO Box 649
York SC 29745-0649

REMITTITUR

Re: The State v. Joshua Cramer
Lower Court Case No. 1998-GS-46-01015, 1998-GS-46-01016
and 2008-GS-46-02192
Appellate Case No. 2017-001286

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:

Joshua Kerr Cramer, #251406

The Honorable John C. Hayes, III

Alan McCrory Wilson, Esquire

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.



FOR THE COURT C.J.

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