

# The Supreme Court of South Carolina

Robert Anthony James, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-001174

Lower Court Case No. 2015CP4005187

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## ORDER

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This case was dismissed by order dated June 13, 2017. Therefore, under Rule 221 of the South Carolina Appellate Court Rules (SCACR), any petition for rehearing had to be actually received by this Court on or before June 28, 2017. When no petition for rehearing was received, the remittitur was properly sent to the circuit court on June 29, 2017.

Petitioner has now filed a petition for rehearing. This petition was received by this Court on June 30, 2017, in an envelope showing it was received by the Kershaw Correctional Institution mailroom on June 29, 2017. This envelope is post-marked June 29, 2017.

Since the remittitur has been properly sent in this case, the petition for rehearing is hereby stricken and dismissed.<sup>1</sup> *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642

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<sup>1</sup> Contrary to petitioner's assertion in his document dated July 13, 2017, the time to petition to rehearing does not run from when he received a copy of the order of dismissal. Instead, that time runs from the date the order is filed by the appellate court. Rule 221(a), SCACR ("Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court.").

S.E.2d 551 (2007).

  
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FOR THE COURT C.J.

Columbia, South Carolina  
July 20, 2017

cc: Julie Amanda Coleman, Esquire  
Mr. Robert Anthony James, 261393