

The Supreme Court of South Carolina

Phillip Brown, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-212883

ORDER

This matter is before the Court by way of a notice of appeal from an order that has been rescinded by the circuit court. The State moves to dismiss the appeal without prejudice. Petitioner has not filed a return to the motion. Because the order from which this appeal is taken has been rescinded, we dismiss the appeal without prejudice to petitioner's right to file another appeal upon final adjudication of this post-conviction relief action in the circuit court.

 C.J.
FOR THE COURT

Columbia, South Carolina

December 6, 2012

cc:

Robert Daniel Corney

Steven W. Hamm

Phillip Brown, 118100