

The South Carolina Court of Appeals

The State, Respondent,

v.

Robert Dunnell House, Appellant.

Appellate Case No. 2016-002331

ORDER

The State has filed a motion to dismiss this appeal, arguing Appellant's sentence has not been unsealed and imposed because Appellant is presently a fugitive. Appellant's counsel filed a response, requesting that this court allow Appellant to withdraw this appeal without prejudice. After careful consideration, Appellant's request to withdraw this appeal is granted. *See State v. Miller*, 289 S.C. 426, 346 S.E.2d 705 (1986) (holding a criminal defendant may not appeal until his sentence is imposed).¹ The remittitur will be sent as provided in Rule 221, SCACR.

Jan Li

FOR THE COURT

Columbia, South Carolina

cc:
Brian T. Petrano, Esquire
William G. Yarborough, III, Esquire

FILED

September 29, 2017

¹ We note that nothing prevents Appellant from appealing his conviction after his sentence is imposed.