

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

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May 31, 2012

The Honorable Jeanette W. McBride
Clerk of Court
PO Box 2766
Columbia SC 29202-2766

REMITTITUR

Re: Donald Gay v. The State
Lower Court Case No. 2012CP4001540
Appellate Case No. 2012-211606

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

Enclosure

cc: Robert Daniel Corney, Esquire
Mr. Donald W. Gay, 00244300

The Supreme Court of South Carolina

Donald Gay, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-211606

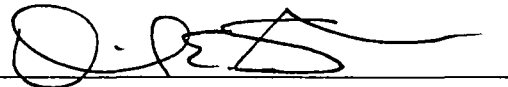
Richland County
Trial Court Case No. 2012CP4001540

ORDER

Petitioner has filed a letter that has been construed as a notice of appeal. The notice of appeal is hereby dismissed based on petitioner's failure to provide a copy of the order on appeal as required by Rule 203, SCACR.¹ The remittitur will be sent as provided by Rule 221, SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
May 1, 2012

cc: Robert Daniel Corney, Esquire
Mr. Donald W. Gay, # 244300

¹ The case management system for Richland County indicates that a conditional order of dismissal was filed in this matter on April 10, 2012, but does not indicate that a final order has been issued in this matter. A conditional order of dismissal is not an appealable order; instead, only a final order is appealable in a post-conviction relief case. Lewis v. State, 368 S.C. 630, 630 S.E.2d 464 (2006).