

# The Supreme Court of South Carolina

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April 04, 2018

The Honorable Renee Elvis  
PO Box 677  
Conway SC 29528-0677

## REMITTITUR

Re: Michael J. Cline v. State  
Lower Court Case No. 2014CP2607019, 2014CP2606998  
Appellate Case No. 2018-000330

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:

Matthew Martin McGuire, Esquire  
Johnny Ellis James, Jr., Esquire  
Michael J. Cline, 00156213

# The Supreme Court of South Carolina

Michael J. Cline, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2018-000330  
Lower Court Case Nos. 2014CP2606998 and  
2014CP2607019

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## ORDER

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These two post-conviction relief cases were apparently merged before the circuit court. The final order is dated June 5, 2017, and was filed with the clerk of the circuit court on July 5, 2017.<sup>1</sup> The public case index for Horry County indicates that petitioner is represented by Matthew Martin McGuire, Esquire.

Petitioner has filed a *pro se* document dated January 1, 2018, which is entitled "Appeal to Final Order." This document has been construed as a notice of appeal under Rule 243 of the South Carolina Appellate Court Rules (SCACR).

Petitioner has failed to provide a proof of service showing that a copy of this notice of appeal has been timely served on opposing counsel as required by Rules 243(b) and 203(d)(1)(B)(i), SCACR, and has failed to provide this Court with the explanation required by Rule 243(c), SCACR. Accordingly, the notice of appeal is

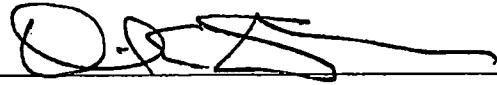
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<sup>1</sup> Petitioner has not provided a copy of the conditional order of dismissals or a copy of the final order of dismissal. This Court has obtained a copy of these documents from the public case index for Horry County.

dismissed.<sup>2</sup> The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina  
February 26, 2018

cc: Alan McCrory Wilson, Esquire  
Matthew Martin McGuire, Esquire

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<sup>2</sup> Mr. McGuire is reminded that he remains counsel of record before this Court. Rule 71.1(g) of the South Carolina Rules of Civil Procedure, and Rule 264(a), SCACR. If it is appropriate to seek to reinstate this matter under Rule 260(a), SCACR, that motion will have to be filed by counsel. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).