

The Supreme Court of South Carolina

John E. Wilson, Jr., #295493, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2013-000036

ORDER

By order dated November 14, 2012, the South Carolina Court of Appeals dismissed the appeal in this matter.¹ When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on December 3, 2012. Petitioner has now filed a petition for a writ of certiorari dated December 31, 2012, seeking review of the decision of the South Carolina Court of Appeals.

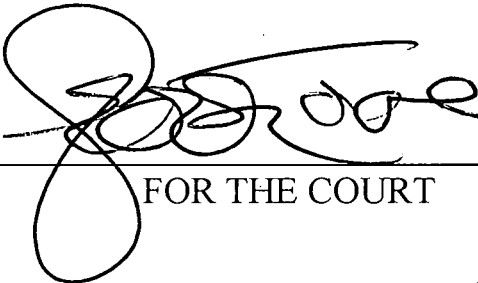
Under Rule 242(a) of the South Carolina Appellate Court Rules (SCACR), this Court will only review a final decision of the Court of Appeals, and a decision is not final for the purposes of review until a petition for rehearing or reinstatement has been acted on by the Court of Appeals. Rule 242(c), SCACR. Since no petition for rehearing or reinstatement has been ruled on by the Court of Appeals in this matter, there is no final decision for this Court to review.

Further, when no petition for rehearing or reinstatement was received by the Court of Appeals, the Court of Appeals sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C.*

¹ The appellate case number before the Court of Appeals was 2012-212866.

Dept. of Corr., 372 S.C. 173, 642 S.E.2d 551 (2007).

Accordingly, the petition for a writ of certiorari is dismissed.


C.J.
FOR THE COURT

Columbia, South Carolina
January 10, 2013

cc: Mr. John E. Wilson, Jr., 00295493
Steven Barry Johnson, Esquire
Christopher D. Florian, Esquire
The Honorable Jenny Abbott Kitchings