

The Supreme Court of South Carolina

Alonzo C. Jeter, III, Petitioner,

v.

South Carolina Department of Probation, Parole, and
Pardon Services, Respondent.

Appellate Case No. 2018-001474

ORDER

The South Carolina Court of Appeals filed its opinion in this matter on July 5, 2018. When no petition for rehearing was received, the Court of Appeals sent the remittitur on July 23, 2018.¹

Petitioner has now filed two notices of appeal dated August 6, 2018, seeking review of the decision of the Court of Appeals.² Since a decision of the Court of Appeals is reviewed by serving and filing a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR), this notice of appeal has been construed as a petition for a writ of certiorari.

Under Rule 242(a), 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.

¹ Before the Court of Appeals, the Appellate Court Case Number was 2017-000286.

² In one of the notices of appeal, petitioner states that he is appealing from the administrative law court order which gave rise to the appeal before the South Carolina Court of Appeals. Nothing in the SCACR allows multiple appeals to be taken from a single order. Therefore, to the extent petitioner may be trying to commence a second appeal from the order of the administrative law court, that notice of appeal is hereby stricken and dismissed.

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 was received by the Court of Appeals, the Court of Appeals properly sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

Accordingly, the petition for a writ of certiorari is dismissed. The motion to proceed in forma pauperis is denied as moot.



C.J.

FOR THE COURT

Columbia, South Carolina

August 13, 2018

cc: Tommy Evans, Jr., Esquire
Mr. Alonzo C. Jeter, III, 282902
The Honorable Jenny Abbott Kitchings