



# The Supreme Court of South Carolina

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October 18, 2018

The Honorable Doris Poulos O'Hara  
180 N. Irby Street MSC-E  
Florence SC 29501

## REMITTITUR

Re: James A. Edwards v. State  
Lower Court Case No. 2018CP2100107  
Appellate Case No. 2018-001761

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,

*Daniel E. Shearouse*  
DS

CLERK

ccL  
Alan McCrory Wilson, Esquire  
James A. Edwards, 084148

# The Supreme Court of South Carolina

James A. Edwards, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2018-001761

Lower Court Case No. 2018CP2100107

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## ORDER

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The circuit court issued a conditional order of dismissal, which gave petitioner twenty days to show cause why the conditional order should not become final. According to the final order of dismissal, petitioner was granted an extension to file a response, but did not file a response to the conditional order. Petitioner has now served and filed a notice of appeal from the final order.

Where, as here, a PCR applicant fails to file a response to a conditional order of dismissal, this Court has held that the applicant cannot appeal. *Edith v. State*, 369 S.C. 408, 632 S.E.2d 844 (2006). Accordingly, the notice of appeal is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

  
FOR THE COURT

C.J.

Columbia, South Carolina

October 2, 2018

cc: Office of the Attorney General  
Mr. James A. Edwards, 084148