

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

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December 06, 2018

The Honorable M. Hope Blackley
PO Box 3483
Spartanburg SC 29304-3483

REMITTITUR

Re: Scotty M. Brown v. State
Lower Court Case No. 2017CP4200854
Appellate Case No. 2018-001951

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

cc:

Megan Harrigan Jameson, Esquire
Richard W. Vieth, Esquire
Scotty M. Brown, 257869

The Supreme Court of South Carolina

Scotty M. Brown, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2018-001951

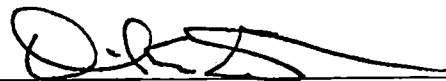
Lower Court Case No. 2017CP4200854

ORDER

Since it appears that a timely motion under Rule 59 of the South Carolina Rules of Civil Procedure is pending before the circuit court,¹ the *pro se* notice of appeal is dismissed without prejudice pursuant to *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

November 19, 2018

cc: Megan Harrigan Jameson, Esquire
Richard W. Vieth, Esquire

¹ Counsel for petitioner indicates that he received a copy of the order of dismissal filed on August 21, 2018, on September 24, 2018. The Rule 59 motion was filed with the clerk of the circuit court on October 3, 2018.