

The Supreme Court of South Carolina

Thomas E. Webb, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2019-000004

Lower Court Case No. 2018CP2600118

ORDER

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 did not file a response to the conditional order. This Court has now received a copy of a notice of appeal that petitioner filed with the circuit court from the Office of the Attorney General.¹

The notice of appeal is dismissed for two reasons. First, where, as here, a Post-Conviction Relief 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). Second, petitioner has not provided the explanation required by Rule 243(c) of the South Carolina Appellate Court Rules (SCACR).

Accordingly, the notice of appeal is dismissed. The remittitur will be sent as

¹ The Office of the Attorney General has also provided this Court with a copy of the Conditional Order of Dismissal dated April 27, 2018, and the Final Order of Dismissal dated November 14, 2018.

provided by Rule 221(b), SCACR.



FOR THE COURT C.J.

Columbia, South Carolina
January 04, 2019

cc: Johnny Ellis James, Jr., Esquire
Mr. Thomas Ernest Webb, #291521