

The Supreme Court of South Carolina

William F. Martin, Jr., Petitioner,

v.

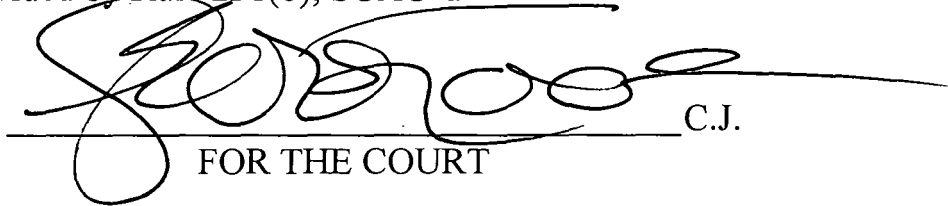
State of South Carolina, Respondent.

Appellate Case No. 2012-206827

ORDER

This post-conviction relief case is pending in the circuit court. *Martin v. State*, 2009-CP-44-00398. Petitioner has now served a notice of appeal in this matter. He has not provided a copy of the order under appeal as required by Rule 203, of the South Carolina Appellate Court Rules (SCACR), and the case management system for Union County indicates no order or judgment has been entered in this case.

Under Rule 243(a), SCACR, and S.C. Code Ann. §17-27-100, only a final decision or judgment in a post-conviction relief case is subject to appellate review. *See Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006) (defining final decision or judgment). Since no final decision or judgment has been issued in this case, the notice of appeal is hereby dismissed without prejudice to petitioner's ability to timely serve and file a notice of appeal once a final decision or judgment is issued. The remittitur will be sent as provided by Rule 221(b), SCACR.


C.J.
FOR THE COURT

Columbia, South Carolina

June 4, 2012

cc: James Rutledge Johnson, Esquire
Mr. William F. Martin, Jr.