

The Supreme Court of South Carolina

David A. Duren, Jr., Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-000605

Lower Court Case No. 2015CP4302134

ORDER

By order dated September 24, 2018, this Court denied the petition for a writ of certiorari after conducting a review pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988). When no petition for rehearing was received within the time provided by Rule 221 of the South Carolina Appellate Court Rules, the remittitur was properly sent to the circuit court on October 12, 2018. By order dated December 4, 2018, this Court denied petitioner's *pro se* motion to recall the remittitur.

Petitioner has now filed a motion to vacate and set aside the notice of appeal filed in this case, and for an evidentiary hearing. Since the remittitur has been properly sent, appellate jurisdiction over this case has ended. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007). Therefore, the motion is hereby stricken and dismissed.



FOR THE COURT

C.J.

Columbia, South Carolina
August 29, 2019

cc: Julie Amanda Coleman, Esquire
Lara Mary Caudy, Esquire
Mr. David A. Duren, Jr., #181965