

The Supreme Court of South Carolina

Korell Battle, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

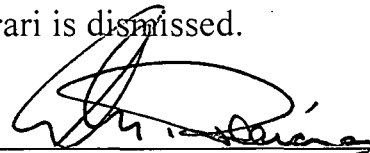
Appellate Case No. 2013-000322

ORDER

By order dated February 1, 2013, the South Carolina Court of Appeals dismissed the appeal in this matter.¹ Petitioner has now filed a petition for a writ of certiorari with this Court seeking review of this dismissal.

Under Rule 242(a) of the South Carolina Appellate Court Rules (SCACR), this Court will only review a final decision of the Court of Appeals, and a decision is not final for the purposes of review until a petition for rehearing or reinstatement has been acted on by the Court of Appeals. Rule 242(c), SCACR. Since no petition for rehearing or reinstatement has been ruled on by the Court of Appeals in this matter, there is no final decision for this Court to review.

Accordingly, the petition for a writ of certiorari is dismissed.



FOR THE COURT

J.

Columbia, South Carolina

February 22, 2013

cc: Mr. Korell Battle, 00292294

David M. Tararsky, Esquire

The Honorable Jenny Abbott Kitchings

¹ The Appellate Case Number before the Court of Appeals was 2012-213044.