

The Supreme Court of South Carolina

Kevin W. McDaniels, #254398, Appellant,

v.

The State, Respondent.

Appellate Case No. 2020-000474

ORDER

Petitioner has served and filed a *pro se* notice of appeal from a form order dated March 3, 2020. This order indicates that a full written order is to follow.

Under Rule 243(a) of the South Carolina Appellate Court Rules (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 the form order being appealed is not the final decision or judgment in this matter, 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.

FOR THE COURT

BY _____



DEPUTY CLERK

Columbia, South Carolina
April 6, 2020

cc: Kevin McDaniels, 00254398
Johnny Ellis James, Jr., Esquire