

# The Supreme Court of South Carolina

Darrell Green, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2020-000783

The Honorable The Honorable William H. Seals, Jr.  
Horry County  
Trial Court Case No. 2016CP2602171

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## ORDER

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Petitioner has filed a notice of appeal from an order denying his application for post-conviction relief. Because it appears no final order has been filed in this case, the matter is dismissed without prejudice to petitioner's right to appeal once a final order is entered by the lower court. *See* Rule 203(b)(1), SCACR (time to serve notice of appeal runs from receipt of written notice of entry of order or judgment); *see also Russell v. Wachovia Bank, N.A.*, 370 S.C. 5, 633 S.E.2d 722 (2006) ("An order is not final until it is entered by the clerk of court; and until the order or judgment is entered by the clerk of court, the judge retains control of the case."). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

FOR THE COURT

BY



DEPUTY CLERK

Columbia, South Carolina  
May 20, 2020

cc:

James Kristian Falk, Esquire  
Johnny Ellis James, Jr., Esquire