

The Supreme Court of South Carolina

David Washington, Petitioner,

v.

Mullins Municipal Court, Respondent.

Appellate Case No. 2020-001151

ORDER

By order dated June 23, 2020, the South Carolina Court of Appeals dismissed the appeal in this matter. When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on August 7, 2020.¹ Petitioner has now sent this Court a copy of a letter with attachments dated August 17, 2020. These documents indicate that he is seeking review from this Court.

Since any review by this Court is governed by Rule 242 of the South Carolina Appellate Court Rules (SCACR), this letter and attachments have been construed as a petition for a writ of certiorari under that rule. This petition is dismissed for several reasons.

First, petitioner has failed to provide a proof of service showing that a copy of the petition has been served on the respondent as required by Rule 242(c), SCACR.

Second, under Rule 242(a), 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.

Finally, when no petition for rehearing or reinstatement was received by the Court

¹ Before the Court of Appeals, the Appellate Case Number was 2019-000531.

of Appeals, the Court of Appeals properly sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

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



FOR THE COURT C.J.

Columbia, South Carolina
August 26, 2020

cc: Mr. David Washington
Mullins Municipal Court
The Honorable Jenny Abbott Kitchings