

The Supreme Court of South Carolina

Tiffany D. Elmore, Petitioner,

v.

State of South Carolina, Respondent.
Appellate Case No. 2013-000393

ORDER

On February 15, 2013, petitioner served a *pro se* notice of appeal in this matter. At that time, no final decision had been filed in the circuit court.¹

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. Further, the time to appeal does not begin to run until after the final judgment or decision is entered with the clerk of the circuit court. *Cf.* Rule 203(b)(1), SCACR (written notice of entry of the order or judgment begins time to appeal).

Accordingly, the *pro se* notice of appeal is dismissed without prejudice to petitioner's ability to timely serve and file a new notice of appeal from the final decision in this matter. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.


C.J.
FOR THE COURT

Columbia, South Carolina
March 15, 2013

cc: Karen Christine Ratigan, Esquire
Matthew P. Head, Esquire
Tiffany D. Elmore, #312487

¹ It appears that a final order has now been filed with the clerk of the circuit court on March 4, 2013.