

The Supreme Court of South Carolina

Jerome Scott, #153381, Petitioner,

v.

South Carolina Department of Probation, Parole, and
Pardon Services, Respondent.

Appellate Case No. 2020-001280
Lower Court/Tribunal No. 2019ALJ50033AP

ORDER

By order dated July 30, 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 21, 2020.¹

Petitioner has now filed a notice of appeal seeking review of the decision of the South Carolina Court of Appeals. This notice of appeal was served on opposing counsel on September 21, 2020. Since decisions of the Court of Appeals are reviewed by a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR), this notice of appeal has been construed as a petition for a writ of certiorari.

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.

Further, when no petition for rehearing or reinstatement was received by the Court of Appeals, the Court of Appeals sent the remittitur. Rule 221, SCACR. The

¹ Before the Court of Appeals, the Appellate Case Number was 2020-000004.

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

BY  _____
CLERK

Columbia, South Carolina
September 25, 2020

cc: Janell H Gregory, Esquire
Mr. Jerome Scott, 153381
The Honorable Jenny Abbott Kitchings