

# The Supreme Court of South Carolina

Shaheen Cabbagestalk #295567, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2020-001312

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## ORDER

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By order dated March 5, 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 March 21, 2020.<sup>1</sup> Petitioner has now filed a notice of appeal dated September 25, 2020, which has been construed as a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR), seeking review of the decision of the South Carolina Court of Appeals.

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 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.

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<sup>1</sup> Before the Court of Appeals, the Appellate Case Number was 2019-000013.

  
FOR THE COURT

C.J.

Columbia, South Carolina  
October 6, 2020

cc:  
Christina Catoe Bigelow, Esquire  
Shaheen Cabbagestalk, #295567