

# The Supreme Court of South Carolina

Adrian Keith Neal, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-000186

---

## ORDER

---

The South Carolina Court of Appeals denied the petition for a writ of certiorari in this post-conviction relief (PCR) case by order dated January 20, 2021.<sup>1</sup> When no petition for rehearing or reinstatement was received, the Court of Appeals sent the remittitur on February 10, 2021. Petitioner has now filed a notice of appeal, which this Court has construed as a petition for a writ of certiorari to review the decision of the Court of Appeals.

Under Rule 242(a) of the South Carolina Appellate Court Rules (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 properly sent the remittitur. Rule 221, SCACR. The sending of the remittitur ended appellate jurisdiction, and no further motion or petition can be considered by this Court. *Stogsdill v. S.C. Dep't of Health & Human Servs.*, 415 S.C. 568, 784 S.E.2d 669 (2016); *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

---

<sup>1</sup> Before the Court of Appeals the Appellate Case Number was 2019-000149.

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

  
\_\_\_\_\_  
FOR THE COURT C.J.

Columbia, South Carolina  
February 26, 2021

cc:

Wanda H. Carter, Esquire  
Brianna Lynn Schill, Esquire  
Adrian K. Neal, 351553