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SC Court of Appeals

The South Carolina Court of Appeals

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April 6, 2021

Mr. William Sean McGuire, Esquire
1330 Lady Street, Suite 401
Columbia SC 29211

Re: The State v. Derrick J. Rivera

Appellate Case No. 2021-000304

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

V. Claire Allen

CLERK

cc: - Derrick J. Rivera
Robert Michael Dudek, Esquire
Scott Rian Hixson, Esquire
Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire

The South Carolina Court of Appeals

The State, Respondent,

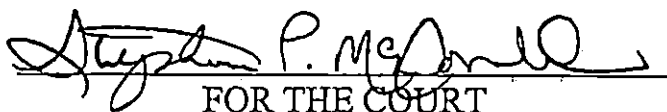
v.

Derrick Jajuan Rivera, Appellant.

Appellate Case No. 2021-000304

ORDER

Appellant has served and filed a notice of appeal from an interlocutory order denying a motion for release. Because Appellant has not yet been convicted and sentenced, this appeal is dismissed.¹ *See State v. Miller*, 289 S.C. 426, 346 S.E.2d 705 (1986) (providing a criminal defendant may not appeal until sentence is imposed); *Parsons v. State*, 289 S.C. 542, 347 S.E.2d 504 (1986) (providing that the denial of bail pending trial is not immediately appealable). The remittitur will be sent as required by Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

William Sean McGuire, Esquire
Robert Michael Dudek, Esquire
Scott Rian Hixson, Esquire
Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire

FILED
Apr 06 2021

¹ Because this appeal is dismissed, this court will take no action on Appellant's petition for a writ of mandamus. *Cf. State v. Hill*, 314 S.C. 330, 444 S.E.2d 255 (1994) (a writ of supersedeas is only available where there is an appealable order).



South Carolina Court of Appeals

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