

The Supreme Court of South Carolina

Gary L. Hayes, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-000583

The Honorable Benjamin H. Culbertson
Georgetown County
Trial Court Case No. 2012CP2201167

ORDER

Based on petitioner's failure to provide this Court with a copy of the order(s) to be challenged on appeal as required by Rule 203(d)(1)(B)(ii) of the South Carolina Appellate Court Rules (SCACR) and requested in this Court's letter dated March 21, 2013, the notice of appeal is hereby dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.¹

FOR THE COURT

BY



CLERK

Columbia, South Carolina
April 8, 2013

cc: Tyson A. Johnson, Sr., Esquire
Mr. Gary L. Hayes, #263985

¹ According to the case management system for Georgetown County, the only order that has been issued in this matter is a conditional order of dismissal and a conditional order of dismissal is not an appealable order. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006). Indeed in a letter dated March 27, 2013, petitioner admits that he is not sure if a final order has been filed or not. It is noted that in this letter petitioner indicates that he is sending this Court a copy of the conditional order of dismissal, but as of this date, no copy of the conditional order has been received.