

The Supreme Court of South Carolina

Leroy Luckett, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-000690

ORDER

The circuit court issued a conditional order of dismissal in this post-conviction relief (PCR) case on August 28, 2019, giving petitioner twenty (20) days to show cause why the conditional order should not become final. According to the final order of dismissal issued on May 13, 2021, petitioner did not file a response to the conditional order. Petitioner has now filed a notice of appeal from the final order of dismissal.

Where, as here, a PCR applicant fails to file a response to a conditional order of dismissal, this Court has held that the applicant cannot appeal. *Edith v. State*, 369 S.C. 408, 632 S.E.2d 844 (2006). Accordingly, the notice of appeal is dismissed. The remittitur will be sent as provided by Rule 221 of the South Carolina Appellate Court Rules.



FOR THE COURT C.J.

Columbia, South Carolina
July 1, 2021

cc:
Megan Harrigan Jameson, Esquire
Leroy Luckett, 00259429