

# The Supreme Court of South Carolina

Ricardo Fishburne, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-000386

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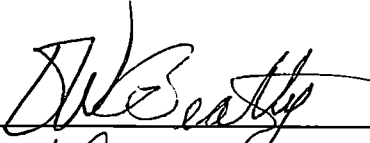
## ORDER

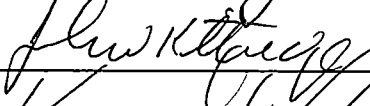
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By order dated May 14, 2021, Petitioner's notice of appeal from the denial of his fifth application for post-conviction relief (PCR) was dismissed for failure to file the explanation required by Rule 243(c), SCACR.

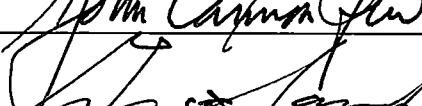
Petitioner has now filed a petition for rehearing indicating he did file a Rule 243(c) explanation. Because Petitioner's notice of appeal was mistakenly dismissed, we grant the petition for rehearing and consider Petitioner's Rule 243(c) explanation. After careful review of Petitioner's Rule 243(c) explanation, we find Petitioner has failed to show there is an arguable basis for asserting that the determination by the PCR court was improper. Accordingly, we dismiss the notice of appeal.


Because Petitioner failed to provide any reason why the Court should not do so, we prohibit Petitioner from filing any further collateral actions in the circuit court, including PCR actions and habeas corpus actions, as well as any motions relating to the previously filed collateral actions, challenging his 2001 convictions and sentences for first degree burglary (Indictment No. 2001-GS-15-417) and assault and battery with intent to kill (Indictment Nos. 2001-GS-15-415 and 2001-GS-15-416), or any motions in the underlying criminal case, including a motion pursuant to Rule 29, SCRCrimP, without first obtaining permission to do so from this Court.

  
\_\_\_\_\_ C.J.

  
\_\_\_\_\_ J.

  
\_\_\_\_\_ J.

  
\_\_\_\_\_ J.

  
\_\_\_\_\_ J.

Columbia, South Carolina  
June 15, 2021

cc:  
Benjamin Hunter Limbaugh, Esquire  
Ricardo Fishburne, #279661