

# The Supreme Court of South Carolina

Herbert Bell, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2022-000049

---

## ORDER

---

In this post-conviction relief (PCR) matter, the circuit court issued a conditional order of dismissal, giving Petitioner twenty days to file a response as to why the conditional order of dismissal should not become final. According to the final order of dismissal, Petitioner did not file a response. Petitioner has now filed a notice of appeal from the final order.

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 in by Rule 221(b) of the South Carolina Appellate Court Rules.

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

Columbia, South Carolina  
January 20, 2022

cc:  
Yasmeen Ebbini Klein, Esquire  
Herbert Lee Bell, 00132646