



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 06, 2012

Mr. Gene McCain Connell, Jr.
Coastal Designs & Tim Wilkes
PO Drawer 14547
Surfside Beach SC 29587

Re: Ex Parte Coastal Designs (In re: SRB)
Appellate Case No. 2011-187026

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, Deputy

CLERK

cc: Scott B. Umstead
Kathryn M. Cook
Joseph F. Singleton
Kathryn Harper Sligh
Susan Pardue MacDonald

The South Carolina Court of Appeals

Ex Parte Coastal Designs, Inc. and Tim Wilkes,
Appellants,

v.

In Re: SRB Servicing, LLC, Successor by assignment to
Synovus Bank, formerly known as Columbus Bank and
Trust Company, as successor in interest through name
change and by merger with the National Bank of South
Carolina, Respondent,

v.

Myrtle Beach Grande Hotel, LLC, Harvey L. Jones,
Wendy Jones (J.) Bellamy, Billy Joe (J.) Bellamy, Kersi
S. Schroff, Mozingo & Wallace Architects, LLC, Harvey
Levon Jones and Wendy Beth Jones Bellamy as Personal
Representatives of the Estate of Ann L. Jones, and as
Trustee of the Restated and Amended Trust Agreement
of Ann L. Jones, dated October 30, 2006, Respondents.

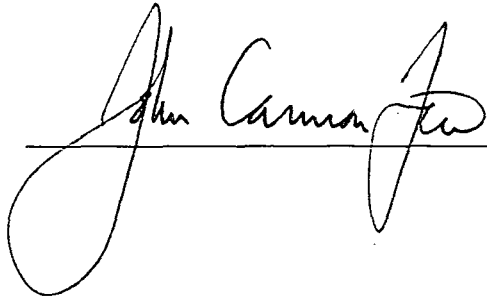
Appellate Case No. 2011-187026

ORDER

Tim Wilkes, who was not a party to the underlying action, has filed a notice of appeal from the master-in-equity's order vacating the foreclosure sale. The order provides that the property will be re-sold after the publication of the amended notice of sale. Because the order appealed from is neither a final order nor an exception permitting an appeal from an interlocutory order and Wilkes never moved to intervene to become a named party, this appeal is dismissed. *See* S.C. Code Ann. § 14-3-330 (1976 & Supp. 2011) (providing limited exceptions exist to the general rule that only a final order is appealable); Rule 201(b), SCACR ("Only a party aggrieved by an order, judgment, sentence or decision may appeal."); *Ex parte Condon*, 354 S.C. 634, 642, 583 S.E.2d 430, 434 (2003) ("[T]he Attorney

General is required, like everyone else, to formally intervene and become a named party before he can file an appeal.").

IT IS SO ORDERED.


C.J.

Columbia, South Carolina

cc:

Scott B. Umstead
Kathryn M. Cook
Joseph F. Singleton
Kathryn Harper Sligh
Susan Pardue MacDonald
Gene McCain Connell, Jr.

FILED

Porter 6/6/12