

The South Carolina Court of Appeals

Jason A. Evans and Jessika L. Joye, Respondents-Appellants,

v.

Kimberly Ayer and Keith Ayer, Appellants-Respondents.

Appellate Case No. 2023-000314

ORDER

On March 2, 2023, Respondents-Appellants filed a motion to dismiss the notice of intent to appeal filed by Appellants-Respondents as untimely because it was not served within thirty days of receipt of written notice of entry of the order or judgment. The motion is granted. *See* Rule 203(b)(1), SCACR; *Wells Fargo Bank, N.A. v. Fallon Properties South Carolina, LLC*, 422 S.C. 211, 219, 810 S.E.2d 856, 860 (2018) (holding "an email sent from the court, an attorney of record, or a party that provides a written notice of entry of an order or judgment triggers the time for serving a notice of appeal"); *Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) ("Service of notice of intent to appeal is a jurisdictional requirement, and this Court has no authority to extend or expand the time in which the notice of intent to appeal must be served."). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

 C.J.
FOR THE COURT

Columbia, South Carolina

cc:
Ryan W. Lane, Esquire
William James LaLima, Esquire

FILED
Apr 04 2023