



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 20, 2012

Benjamin Elam
809 South Prospect St.
Columbia SC 29205

Re: Elam, Benjamin v. Constructions Svc
Appellate Case No. 2012-209366

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: Peter P. Leventis, IV

The South Carolina Court of Appeals

Benjamin Elam, Claimant, Appellant,

v.

Construction Service Co. LLC, Employer, and
Praetorian Insurance Company, Carrier, Respondents.

Appellate Case No. 2012-209366

ORDER

Appellant filed the Notice on Appeal of Judge Alison Renee Lee's February 8, 2012 order on March 9, 2012. Appellant failed to file a Proof of Service for the Notice of Appeal. In response to this Court's letters, Appellant filed a Proof of Service indicating he served Respondents with the Notice of Appeal on May 22, 2012. Because Appellant failed to timely serve Respondents, this appeal is dismissed. *See* Rule 203(b)(1), SCACR ("A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment."); Rule 263(b), SCACR ("The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule[] 203 . . . may be extended or shortened by the appellate court . . .").

Because this appeal is dismissed, this Court need not act on Appellant's motion for more time and motion to proceed without payment of the filing fee.


FOR THE COURT

Columbia, South Carolina

FILED
6-20-12 *RLT*

cc:

Benjamin Elam

Peter P. Leventis, IV