

The South Carolina Court of Appeals

James Nesbitt, #291377, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2024-000277

ORDER

This appeal arises out of an order of the Administrative Law Court (ALC) dismissing Appellant's case. Appellant's notice of appeal indicates he received the order on appeal on January 30, 2024. An amended proof of service filed March 25, 2024, shows Appellant did not serve the ALC until March 18, 2024. Accordingly, this appeal is dismissed. *See* Rule 203(b)(6), SCACR (requiring service of the notice of appeal on the ALC within 30 days after receipt of the decision); *Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004) (noting the requirement of service of the notice of appeal is jurisdictional and the Court has no authority or discretion to rescue the delinquent party by extending or ignoring the deadline for service). The remittitur will be sent pursuant to Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

James Nesbitt, 291377

Christina Catoe Bigelow, Esquire

FILED
Apr 02 2024