



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 10, 2024

Mr. Ward Benjamin McClain, Jr., Esquire
2728 Poinsett Highway
PO Box 205 Greenville, S.C. 29602
Greenville SC 29609

Re: Ronald Soles v. Jason Brockman (2)
Appellate Case No. 2024-000071

Dear Counsel:

Enclosed is the order of the Court. Pursuant to Rule 207, of the South Carolina Appellate Court Rules, the transcript must be ordered within ten days of the date of the order, or your appeal will be dismissed.

Very truly yours,


CLERK

cc: James Stone Craven, Esquire

The South Carolina Court of Appeals

Ronald Soles, Respondent,

v.

Ioan Gherman d/b/a USA Auto Transport LLC and Jason
Brockman d/b/a JNJ Transport, LLC, Defendants,

Of whom Jason Brockman d/b/a JNJ Transport, LLC is
the Appellant.

Appellate Case No. 2024-000071

ORDER

Respondent has filed a motion to dismiss this appeal as untimely. Appellant received written notice of entry of the order denying his timely motion for reconsideration on December 6, 2023. He filed his notice of appeal with this court on January 12, 2024, and included a proof of service indicating he served Respondent on January 4, 2024.

Because Appellant timely served and filed his notice of appeal, Respondent's motion to dismiss is denied. *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. When a timely motion to . . . alter or amend the judgment (Rules 52 and 59, SCRCF), or a motion for a new trial (Rule 59, SCRCF) has been made, the time for appeal for all parties shall be stayed and shall run from receipt of written notice of entry of the order granting or denying such motion."); Rule 203(d)(1)(B), SCACR ("The notice of appeal shall be filed with the clerk of the lower court and the clerk of the appellate court within ten (10) days after the notice of appeal is served."); *Holroyd v. Requa*, 361 S.C. 43, 54, 603 S.E.2d 417, 422 (Ct. App. 2004) ("[T]his Court generally only lacks jurisdiction over an appeal when [service of] the notice of appeal is untimely.").

U. Ke

FOR THE COURT

Columbia, South Carolina

cc:
Ward Benjamin McClain, Jr., Esquire
James Stone Craven, Esquire

FILED
Apr 10 2024