



The South Carolina Court of Appeals

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April 16, 2024

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Re: Mia Anderson v. Richard Thompson
Appellate Case No. 2023-001703

Dear Counsel:

Enclosed is a copy of this Court's order.

Within thirty (30) days from the date of this letter, appellant must serve and file the appellant's initial brief and designation of matter. Failure to serve and file the appellant's initial brief and designation of matter within thirty (30) days from the date of this letter will result in the dismissal of this appeal.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Hannissai, deputy". The signature is written in a cursive style with a large initial 'C'.

CLERK

The South Carolina Court of Appeals

Mia Anderson, on behalf of the Estate of Jessie Heyward
a/k/a Jessie Bell Anderson, Appellant,

v.

Richard Miles Thompson, M.D. and ACS Primary Care
Physicians - Southeast, P.C., Respondents.

Appellate Case No. 2023-001703

ORDER

After careful consideration, Respondents' motion to dismiss this appeal is denied. However, nothing in this order shall prevent the parties from arguing in their briefs the issue of the timeliness of Appellant's post-trial motions, and thus whether they stayed the time for serving the notice of appeal.¹

¹ In Respondents' motion to dismiss and in Appellant's return, both parties appear to be operating under the misapprehension that, pursuant to the circuit court e-filing rules, an appellant has thirty-five days from written notice of entry of the order on appeal to serve their notice of appeal to this court upon the respondent. This court does not use e-filing. The procedures for service in the appellate courts are explicitly provided for in Rule 262(c) of the South Carolina Appellate Court Rules, which states that service by electronic means is only permitted in a manner provided by order of our supreme court. *See* Rule 262(c), SCACR (providing that service may be accomplished via hand delivery, U.S. mail, or "electronic means in a manner provided by order of the Supreme Court of South Carolina"); *Re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022)*, 2020-000447 (S.C. Sup. Ct. Order dated May 6, 2022) ("A lawyer admitted to practice law in South Carolina may serve a document on another lawyer admitted to practice law in South Carolina using the lawyer's primary e-mail address listed in the Attorney Information System (AIS). . . . For documents that are served by e-mail, a copy of


FOR THE COURT

Columbia, South Carolina

cc:

Elizabeth Ballentine Mason, Esquire

Chilton Grace Simmons, Esquire

Robert P. Wood, Esquire

Frederick John Jekel, Esquire

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the sent e-mail shall be enclosed with the proof of service, affidavit of service, or certificate of service for that document."); *see also* Rule 203(b)(1), SCACR (providing the notice of appeal must be served on all respondents within thirty days after receipt of written notice of entry of the order); *Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) ("Service of the 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.").