

The South Carolina Court of Appeals

Cynthia D. Bales as Personal Representative of the Estate
of Frank R. Bales, Respondent,

v.

Abel Martinez Martinez and the South Carolina
Department of Transportation,

Of whom Abel Martinez Martinez is Appellant.

Appellate Case No. 2012-212082

ORDER

Just before filing this appeal, Appellant filed in circuit court a motion for relief from default pursuant to Rule 60(b), SCRCP. This motion, along with other motions, is still pending in the circuit court. Because the court believes the Rule 60(b) motion, and perhaps other motions, need to be resolved before consideration of the appeal, we remand the case to the circuit court for the limited purpose of considering the 60(b) motion and any other pending motions that may potentially affect this appeal. The circuit court shall rule within 30 days of filing of this order.

FOR THE COURT

BY Jerry A. Kirkley
CLERK

Columbia, South Carolina

FILED

August 30, 2013

cc:

Robert Michael Ethridge

Katherine Walker Sullivan

Eric Marc Poulin

The Honorable Kristi Lea Harrington