

The South Carolina Court of Appeals

Dorothy Pierce, Appellant,

v.

Jerry Edwards; Edwards Group Holdings; Edwards Printing; Richard Hunt McDuff; MJM Law, LLC; Riley Morningstar; The Journal Newspaper; and Hal Welch, Respondents.

Appellate Case No. 2024-000739

ORDER

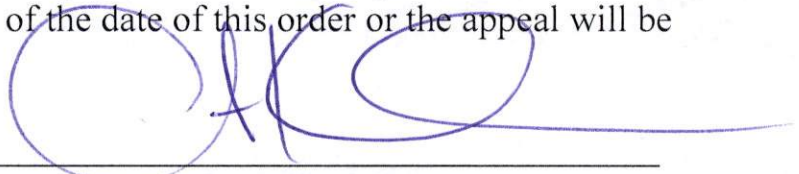
This appeal arises out of a Form 4 order granting summary judgment. The Form 4 order dated March 20, 2024, indicates a formal order is to follow. Respondents Richard Hunt Duff and MJM Law, LLC, filed a motion to dismiss the appeal as interlocutory. Appellant filed a return, as well as a motion to allow late filing of the return. Appellant argues the Court should accept her return out-of-time because Respondents did not properly serve her with notice of their motion to dismiss. Respondents filed a return indicating they served Appellant, who is a self-represented litigant, by emailing her a copy of their motion to dismiss, and Appellant filed a reply. Appellant's motion is granted, and the return to the motion to dismiss is accepted as filed.¹

¹ We take this opportunity to remind counsel for Respondents that Rule 262(c), SCACR, permits service by electronic means in a manner provided by Supreme Court order. Pursuant to the Supreme Court's order *Re: Methods of Electronic Filing and Service Under Rule 262, SCACR* dated April 24, 2024, service by email is only permitted by a lawyer admitted to practice law in South Carolina upon another lawyer admitted to practice law in South Carolina using the lawyer's primary email address. Service upon self-represented litigants shall be made as set forth by Rule 262(c)(1)-(2), SCACR (defining service as hand-delivery or depositing a copy in the U.S. mail).

Appellant filed a motion to amend her return to the motion to dismiss. Respondents did not file a return. The motion is granted, and the amended return is accepted as filed.

Appellant also filed a motion to amend her notice of appeal. On April 2, 2024, the circuit court issued its formal order granting Respondents' motion to dismiss. Appellant claims she did not receive written notice of entry of the order until July 13, 2024. She filed a second notice of appeal showing service on August 10, 2024. *See* Rule 203(b)(1), SCACR (requiring service of the notice of appeal within 30 days after receipt of written notice of entry of the order or judgment). Respondents did not file a return to the motion to amend the notice of appeal. Appellant's motion is granted, and Respondents' motion to dismiss is denied.

Appellant must provide proof of having ordered the transcript in accordance with Rule 207, SCACR, within 10 days of the date of this order or the appeal will be dismissed.



FOR THE COURT

Columbia, South Carolina

cc:
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FILED
Aug 28 2024
