

# The South Carolina Court of Appeals

In the Matter of the Estate Elliott Palmer

Renee Palmer, Respondent,

v.

Janet Palmer-Carri, Rosetta Williams, Aliya Palmer,  
Bobby Palmer, Henrietta Palmer, Laverne Smith, and  
Michael Palmer, Respondents,

of which Janet Palmer-Carri is the Appellant,

and Rosetta Williams, Aliya Palmer, Bobby Palmer,  
Henrietta Palmer, Laverne Smith, and Michael Palmer  
are the Respondents.

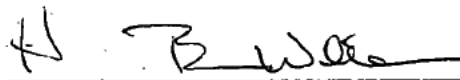
Appellate Case No. 2024-001342

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## ORDER

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This appeal arises out of an order issued by the probate court on June 5, 2023. Appellant received written notice of entry of the order on June 5, 2023. The proof of service shows service on September 4, 2024. The appeal is dismissed for the failure to timely serve the notice of appeal. *See* S.C. Code Ann. §62-1-308(a) (2009) ("The notice of intention to appeal to the circuit court must be filed in the office of the circuit court and in the office of the probate court and a copy served on all parties not in default within ten days after receipt of written notice of the appealed from order, sentence, or decree of the probate court."); *Elam v. SCDOT*, 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004) ("The requirement of service of the notice of appeal is jurisdictional, *i.e.*, if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice."). The remittitur will be sent as provided by Rule 221(b), SCACR.

  
\_\_\_\_\_, C.J.  
FOR THE COURT

Columbia, South Carolina

cc:

Janet Palmer-Carri

Thomas Jefferson Goodwyn, Jr., Esquire

Aliyah Palmer

Michael Palmer

Henrietta Palmer

Bobby Palmer

Rosetta Williams

Parker Law, LLC

**FILED**  
**Sep 10 2024**