

The South Carolina Court of Appeals

Tevin Stevens, Appellant,

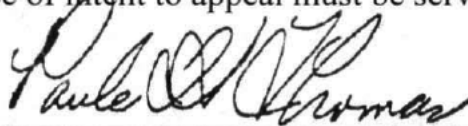
v.

Berkeley Homes, Respondent.

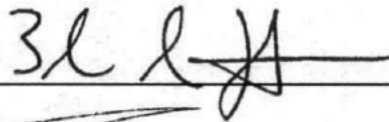
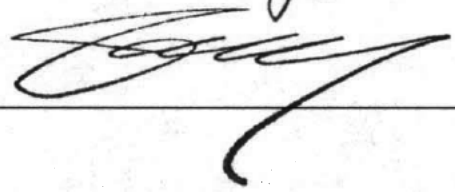
Appellate Case No. 2024-000862

ORDER

We dismissed this appeal on July 26, 2024, because Appellant failed to provide proof of timely serving his notice of appeal on Respondent and failed to provide proof of filing his notice of appeal with the lower court. On August 12, 2024, Appellant filed a motion to reinstate, which we construe as a petition to rehear the order of dismissal. After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing 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.”); Rule 262(c), SCACR (“Whenever under these Rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party is ordered by the appellate court.”); Rule 263(b), SCACR (“The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rules 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”); *Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) (“Service of 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.”).


Paul C. Thomas

J.

322  J.
 J.

Columbia, South Carolina

cc:
Tevin Stevens
Chase M. Cooke, Esquire

FILED
Sep 17 2024