

The South Carolina Court of Appeals

The State, Respondent,

v.

Margie Brown, Appellant.

Appellate Case No. 2024-001310

ORDER

On August 26, 2024, we dismissed this appeal because Appellant failed to provide proof that she served her notice of appeal on counsel for Respondent timely. *See* Rule 203(b)(2), SCACR (providing that appeals arising out of the court of general sessions must be served within ten days of receipt of the order); *State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) ("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."). On August 30, 2024, Appellant filed a motion to reinstate, which we construe as a petition for hearing. 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.

H. Bruce Williams C.J.

Stephanie P. McDonald J.

[Signature] J.

FILED
Nov 01 2024

Columbia, South Carolina

cc:

Margie Brown

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