

# 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

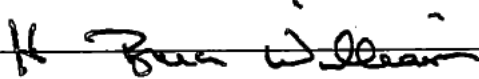
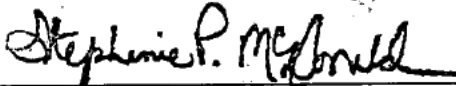
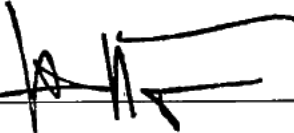
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## ORDER

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Appellant received written notice of entry of the order she sought to appeal on June 5, 2023; however, she served her notice of appeal on September 4, 2024. Therefore, on September 10, 2024, we dismissed this appeal for failure to timely serve the notice of appeal. *See* Rule 203(b)(5), SCACR (explaining that when an appeal is authorized by statute from the probate court to the court of appeals, the notice of appeal shall be served in the same manner as provided by Rule 203(b)(1) of the South Carolina Appellate Court Rules); Rule 203(b)(1), SCACR (requiring service of a notice of appeal within thirty days after receipt of written notice of entry of the order); S.C. Code Ann. § 62-1-308(a) (2022) (providing for filing and service of a notice of appeal to the circuit court from 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."). On September 18, 2024, Appellant filed a motion to reinstate her appeal, which we construe as a petition for rehearing of 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.

  
\_\_\_\_\_ C.J.  
  
\_\_\_\_\_ J.  
  
\_\_\_\_\_ J.

Columbia, South Carolina

cc:  
Janet Palmer-Carri  
Thomas Jefferson Goodwyn, Jr., Esquire  
Aaliyah Palmer  
Michael Palmer  
Henrietta Palmer  
Bobby Palmer  
Rosetta Williams

**FILED**  
**Nov 04 2024**