

The South Carolina Court of Appeals

James Earl Jordan, Respondent,

v.

Derrick Williams and Genell Williams, Appellants.

Appellate Case No. 2024-001772

ORDER

On November 4, 2024, Respondent moved to dismiss this appeal on the basis Appellants failed to file the notice of appeal with the clerk of the lower court within ten days after the notice of appeal was served. Appellants did not file a return; however, a review of the public index shows Appellants filed the notice of appeal with the clerk of the lower court on November 5, 2024. After careful consideration, Respondent's motion to dismiss this appeal is denied. *See* Rule 263, SCACR ("The time prescribed by these Rules for performing any act except the time for *servicing* 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."). Within ten days of the date of this order, Appellants may serve and file with this court a motion for leave to file the notice of appeal with the circuit court out of time. At the expiration of ten days, Respondent may serve and file a second motion to dismiss.



FOR THE COURT

Columbia, South Carolina

cc:
William H. Edwards, Esquire
G. Robin Alley, Esquire

FILED
Dec 19 2024
