

# The South Carolina Court of Appeals

Tanya A. Vaughan-Youmans, Appellant,

v.

State of South Carolina Department of Employment and  
Workforce and Darby Realty Company, Inc.,  
Respondents.

Appellate Case No. 2013-001548

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## ORDER

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On June 18, 2013, the Administrative Law Court (the ALC) issued an order dismissing Appellant's appeal. Appellant filed a notice of appeal with this court indicating she received the underlying order on June 19, 2013. In her proof of service of the notice of appeal, Appellant alleged she served Respondents on July 18, 2013. She did not allege she served the ALC with the notice of appeal.

Respondents filed a motion to dismiss, alleging Appellant did not timely serve the ALC, as required by Rule 203(b)(6) of the South Carolina Appellate Court Rules. This court requested Appellant file a return to the motion to dismiss, specifically providing a proof of service showing the ALC was timely served with the notice of appeal. In her response, Appellant included a proof of service stating she served the ALC with the "Notice Letter Ordering Transcript From Court Reporter" on July 23, 2013. Appellant did not send a proof of service alleging she served the notice of appeal on the ALC.

Pursuant to Rule 203(b)(6), SCACR, the deadline for serving the notice of appeal on the ALC was July 19, 2013. Due to Appellant's failure to provide this court with proof that she timely served the ALC, Respondent's Motion to Dismiss is granted. *See Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) (explaining the notice of appeal is a jurisdictional requirement, and the appellate courts have no authority to extend the time in which the notice of intent to appeal

must be served). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellant Court Rules.

A handwritten signature in black ink, appearing to be "K B W", written above a horizontal line.

FOR THE COURT

Columbia, South Carolina

**FILED**

Sf 11/22/13

cc: Tanya A. Vaughan-Youmans  
Daniel Simmons McQueeney, Jr.  
Eugene Belton McLeod, III  
John Phillips Linton, Jr.