

The South Carolina Court of Appeals

Wesley Edward Smith, III, Appellant,

v.

Sidney H. Pratt, Respondent.

Appellate Case No. 2026-000852

ORDER

This appeal appears to be from an order of the circuit court reversing and remanding this matter to the magistrate's court. Appellant indicates he received written notice of entry of the January 6, 2025 order on May 29, 2025. Appellant shows proof of service on April 6, 2026. The appeal is dismissed for the failure to timely serve the notice of appeal. *See* Rule 203(b)(1), SCACR (noting a notice of appeal shall be served on all respondents within 30 days after receipt of written notice); *Elam v. S.C. Dep't of Transp.*, 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. . . ."). The remittitur will be sent as provided by Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:
Wesley Edward Smith, III
Sidney H. Pratt

FILED
Apr 20 2026
