



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 18, 2013

The Honorable Jerri Ann Roseneau
PO Box 1128
Beaufort SC 29901-1128

REMITTITUR

Re: Alexander Pastene v. Thomas Trobough
Lower Court Case No. 2011CP0704407
Appellate Case No. 2013-002167

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Alexander Pastene
Mary Bass Lohr, Esquire
Terry A. Finger, Esquire

The South Carolina Court of Appeals

Alexander Pastene, Appellant,

v.

Thomas Trobough, Mr. and Mrs. Norman Ginsburg, W.
Richard Beetle, Country Club of Hilton Head, Club Corp
of Dallas, TX and CCHH Tennis Committee Members,
Respondents.

Appellate Case No. 2013-002167

ORDER

Respondent has filed a Motion to Dismiss this appeal as untimely and Appellant has filed a motion a Motion for an Extension. Both motions are denied. Additionally, because the circuit court has yet to act on Appellant's July 25, 2012 Motion for Reconsideration, we dismiss the appeal without prejudice so the circuit court may consider the motion. *See Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986) (noting an appeal may be dismissed without prejudice when the circuit court has not yet acted on a post-trial motion and "[a]ny party can appeal within ten (10) days after the order disposing of the post-trial motions").


FOR THE COURT

Columbia, South Carolina

cc:

FILED

11/27/13 