



The South Carolina Court of Appeals

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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

January 08, 2014

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

REMITTITUR

Re: Discover Bank v. Judi Caron
Lower Court Case No. 2012CP0703645
Appellate Case No. 2013-002376

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,


CLERK

Enclosure

cc: Judi L. Caron
Jerry T. Myers, Esquire

The South Carolina Court of Appeals

Discover Bank, Respondent,

v.

Judi L. Caron a/k/a Judi Swank, Appellant.

Appellate Case No. 2013-002376

ORDER

The appellant filed a notice of appeal indicating that she received written notice of entry of the order on appeal on October 5, 2013. Pursuant to Rule 203(b)(1) of the South Carolina Appellate Court Rules (SCACR), a notice of appeal must be served on all respondents within thirty days after receipt of written notice of entry of the order or judgment. The appellant indicated in her proof of service that she served the notice of appeal on the respondent on November 9, 2013. Additionally, counsel for the respondent asserts that the respondent has not been served with a copy of the notice of appeal.

Service of the notice of appeal is a jurisdictional requirement that cannot be waived by the Court. *See Hill v. S.C. Dep't of Health & Envtl. Control*, 389 S.C. 1, 21, 698 S.E.2d 612, 623 (2010) ("The service of a notice of appeal is a jurisdictional requirement, and the time for service may not be extended by this Court."). Accordingly, this appeal is dismissed. Remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY



CLERK

FILED

Columbia, South Carolina

12-12-13

JLG

cc:

Jerry T. Myers, Esquire