

# The South Carolina Court of Appeals

Regina M. Hunter, Appellant,

v.

Sammie Taylor, Respondent.

AND

Regina M. Hunter, Appellant,

v.

Sammie Taylor, Respondent.

Appellate Case No. 2013-002646

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## ORDER

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On December 16, 2013, Appellant served a notice of appeal from a February 26, 2013 order of Judge Young dismissing the case due to failure to prosecute. On August 27, 2013, Judge Young issued an order granting Appellant's request to withdraw her motions for a new trial and to alter or amend judgment. Pursuant to Rule 203 of the South Carolina Appellate Court Rules, a notice of appeal must be served within thirty days after written receipt of the entry of the order or within thirty days of written receipt of the order *granting or denying* a timely motion to alter or amend or a motion for a new trial. Here, Judge Young neither granted nor denied her motion to alter or amend or motion for a new trial; rather, Judge Young allowed Appellant to withdraw those motions. Accordingly, the time for service of the notice of appeal was not tolled by the filing of the motion to alter or amend or motion for a new trial. Because Appellant has failed to timely serve the notice of appeal, this appeal is dismissed.

Because this appeal is dismissed, this court declines to act on Appellant's pending motions.

 FOR THE COURT

Columbia, South Carolina

cc:  
Regina M. Hunter  
Dwight Christopher Moore, Esquire  
Regina M. Hunter

**FILED**

3/3/14 *lac*