

The South Carolina Court of Appeals

Bank of America, N.A., Respondent,

v.

Frank Cook a/k/a Frank W. Cook, Judith H. Cook and
Ian Cook, Defendants,

Of whom Frank Cook and Judith H. Cook are the
Appellants.

Appellate Case No. 2013-002065

ORDER

Respondent has filed a motion to dismiss, asserting Appellant failed to timely serve the notice of appeal. After careful consideration, Respondent's motion is denied. *See* Rule 263(a), SCACR ("In computing any period of time prescribed or allowed by these Rules, by order of court, or by any applicable statute, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state or federal holiday, in which event the period runs until the end of the next day, which is neither a Saturday, Sunday nor such holiday."); *see also In re Robert R.*, 340 S.C. 242, 244-45, 531 S.E.2d 301, 302 (Ct. App. 2002) (finding juvenile's notice of appeal from adjudication of delinquency, served twelve days after sentence was imposed, was timely, where tenth day after sentence was imposed fell on a Sunday and the following day fell on a state and federal holiday).


FOR THE COURT

FILED

3/10/14

Columbia, South Carolina

cc:

Dwayne Marvin Green

Teresa DeToma Van Vlakte

Henry Guyton Murrell

Sean Matthew Foerster

Michael Wallace Smith