

The Supreme Court of South Carolina

Dale Hill, Betty Hill, Carl Clemmons, Geraldine Clemmons, Individually, and on behalf of a Class of all others similarly situated, Petitioners,

v.

Deertrack Golf and Country Club, Inc., Deertrack Golf, Inc., Deerfield Plantation, Inc., the Estate of John Schaad; by and through Ann Schaad as Executrix, and First Trident Financial, LLC, Respondents.

Appellate Case No. 2012-212294
Lower Court Case No. 2006-CP-2604440

ORDER

Petitioners seek a writ of certiorari to review the Court of Appeals' decision in *Hill v. Deertrack Golf and Country Club, Inc.*, Op. No. 2012-UP-219 (S.C. Ct. App. filed April 4, 2012). The petition is denied. To the extent the e-mail sent to the parties by the special referee on September 3, 2010 is considered an order, the rulings therein are vacated. *Christy v. Christy*, 354 S.C. 203, 580 S.E.2d 444 (2003) (until the paper has been delivered by the judge to the clerk of court, to be filed as an order in the case, it is subject to the control of the judge, and may be withdrawn at any time); Rule 205, SCACR (upon service of the Notice of Appeal, the appellate court has exclusive jurisdiction over the appeal; the lower court retains jurisdiction over matters not affected by the appeal).


C.J.
FOR THE COURT

Columbia, South Carolina

April 3 2014



cc:

David B. Miller, Esquire

Robert S. Shelton, Esquire

Richard Michael Smith, Esquire

Henrietta U. Golding, Esquire

Amanda A. Bailey, Esquire

Melanie Huggins Ward

The Honorable Jenny Kitchings