

# The South Carolina Court of Appeals

T. B. Patterson, Jr., Appellant,

v.

Justo Carmona Ortega, Respondent.

Appellate Case No. 2013-002677

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## ORDER

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Respondent has filed a motion to dismiss, arguing Appellant failed to timely serve and file the notice of appeal. Appellant filed a motion requesting an extension to file a return to the motion to dismiss. The extension request is granted. After careful consideration of the parties' filings, Respondent's motion to dismiss is denied because Appellant certified he did not receive notice of the entry of the order on appeal any earlier than November 12, 2013, and he served the notice of appeal within thirty days thereafter. *See* Rule 203(b)(1), SCACR.

Respondent's request for a thirty-day extension to serve and file Respondent's initial brief is granted. Respondent shall serve and file the initial brief within thirty days.

  
FOR THE COURT

Columbia, South Carolina

cc:

T. B. Patterson, Jr.

Michael Smoak Traynham, Esquire

