



# The South Carolina Court of Appeals

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December 02, 2014

Mr. Michael David Morin, Esquire  
PO Box 161903  
Boiling Springs SC 29316

Re: The State v. Marcus A. Jones  
Appellate Case No. 2014-001806

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

*V. Claire Allen, Deputy*

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cc: Robert Michael Dudek, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire

# The South Carolina Court of Appeals

The State, Respondent,

v.

Marcus A. Jones, Appellant.

Appellate Case No. 2014-001806


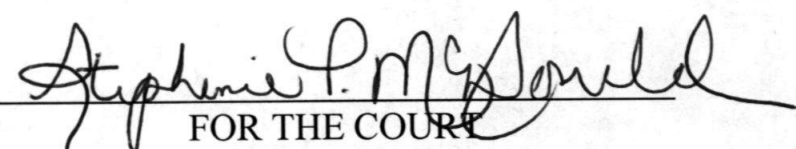
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## ORDER

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Respondent has filed a motion to dismiss, arguing Appellant did not timely serve his notice of appeal. Appellant has not filed a return.

After careful consideration, this Court dismisses the appeal. See Rule 203(b)(2), SCACR ("After a plea or trial resulting in conviction or a proceeding resulting in revocation of probation, a notice of appeal shall be served on all respondents within ten (10) days after the sentence is imposed."); *Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 15, 602 S.E.2d 772, 775 (2004) ("The requirement of service of the notice of appeal is jurisdictional, i.e., if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice.").

  
  
FOR THE COURT

Columbia, South Carolina

cc: Michael David Morin, Esquire

**FILED**  
12/2/14

Robert Michael Dudek, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire