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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JUN 11 2015

APPEAL FROM FLORENCE COUNTY
Thomas A. Russo, Circuit Court Judge

SC Court of Appeals

Lonnie William
Britt,.....Appellant,
and Bernice
Britt,.....Appellant ,

v.

Marshall's Marine,
Inc.,.....Respondent.

MOTION TO DISMISS

A. Lori Jones
The Jones Law Firm
600 Foxtail Drive
Longs, SC 29568
(843) 602-2340
Attorney for Appellant

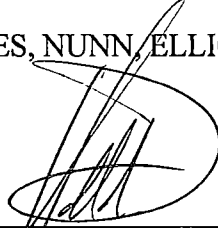
Matthew N. Tyler
Aiken Bridges, P.A.
181 E. Evans
Suite 409
Florence, SC 29506
(843) 669-8787
Attorney for Respondent

The Defendant and intended Respondent Marshall's Marine, Inc.¹ hereby moves to dismiss the attempted appeal by Plaintiff/Intended Appellant Lonnie William Britt and Bernice Britt based upon this Court lacking subject matter jurisdiction as the attempted appeal was not filed in a timely manner pursuant to Appellate Court Rules 203, 262, 263

¹ The Notice of Appeal and Certificate of Service submitted on June 5, 2015 have the parties backward, as it reflects Marshall's Marine, Inc. as the Appellant when in fact Marshall's Marine, Inc. would be a Respondent if the appeal had been timely filed.

and Rule 6(b) SCRPC.

AIKEN, BRIDGES, NUNN, ELLIOT & TYLER, P.A.



MATTHEW N. TYLER
SUITE 409
181 EAST EVANS STREET
PO DRAWER 1931
FLORENCE, SC 29503
(843) 669-8787

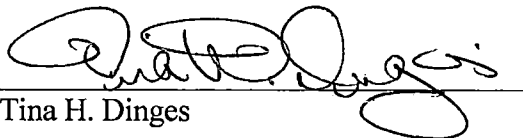
Florence, South Carolina
June 9, 2015

ATTORNEY FOR THE RESPONDENT

CERTIFICATE OF SERVICE

I, the undersigned employee of Aiken, Bridges, Elliott, Saleeby & Tyler, P.A., do hereby certify that the foregoing *Motion to Dismiss* has this day been served by mailing copies thereof, postage prepaid, to the following person(s), this 9th day of June, 2015.

A. Lori Jones
The Jones Law Firm
600 Foxtail Drive
Longs, SC 29568


Tina H. Dinges

J. Boone Aiken, III •
Saunders M. Bridges, Jr. •+
E. Glenn Elliott •
Matthew N. Tyler •
James M. Saleeby, Jr.
J. David Banner
Samuel F. Arthur, III
Jay R. Lee
Preston B. Dawkins
Carrie A. Fox
J. Rufus Bratton, III
John G. Hofler, III

Aiken Bridges Attorneys at Law

MNT@AIKENBRIDGES.COM
843-669-8787, ext. 305
Facsimile: 843-664-0097

Alvin A. Coleman (1930-1995)

June 8, 2015

•Certified Mediator/Arbitrator
+Also Admitted District of Columbia

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

RE: *Lonnie William Britt and Bernice Britt v. Marshall's Marine, Inc.*
Court of Appeals Case No.:
AB Case No.: 30426

Dear Ms. Kitchings:

Enclosed with this letter please find the original and six (6) copies of a Motion to Dismiss, as well as Certificate of Service and Memorandum in support of such motion. We are also enclosing our filing fee of \$25.00.

I will look forward to receiving filed copies back from your office in the near future, and if anything further is needed, please advise.

With kind regards, I am

Sincerely yours,

MATTHEW N. TYLER

MNT/thd
Enclosure

I understood this
may have been submitted
to your office over the
weekend and thus we
have no Court of Appeals
filing/reference number at
present as we have not
seen any filed documents.

Aiken, Bridges, Elliott, Tyler & Saleeby, P.A.

www.aikenbridges.com

181 East Evans St. Suite 409
Florence, South Carolina 29506

Post Office Drawer 1931
Florence, South Carolina 29503

-M.T.

Aiken
Bridges
Attorneys at Law

June 8, 2015

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cc:

A. Lori Jones, Esq.
600 Foxtail Drive
Longs, SC 29568



000000000000



**Aiken
Bridges**
Attorneys at Law
POST OFFICE DRAWER 1931
FLORENCE, SOUTH CAROLINA 29503

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