

The South Carolina Court of Appeals

Ray Long and Mary Long, Appellants,

v.

Tuck and Howell, Inc., Respondent.

Appellate Case No. 2013-002439

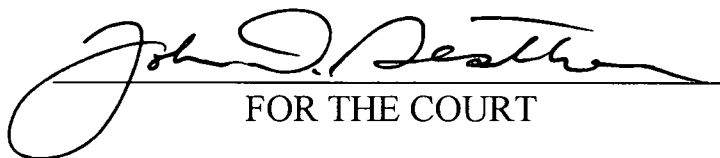
ORDER

On November 4, 2013, Appellants filed this notice of appeal from a civil judgment awarding Appellants \$6,500. On August 28, 2015, Respondent filed a motion to dismiss, asserting Appellants failed to properly prepare and serve a record on appeal. Alternatively, Respondent requested this court strike the record on appeal filed by Appellant because it did not comply with the appellate court rules. Specifically, the record was not bound or enumerated consecutively, it did not contain all matter designated to be included by any party, and it included matter that was not presented to the circuit court. *See* Rule 210(c), (g), SCACR.

On October 30, 2015, this court issued an order striking the record on appeal and ordering Appellants to serve and file within twenty days a record on appeal that complied with Rule 210, SCACR. Appellants replied with a letter to this court on November 15, 2015, stating they needed additional time to serve and file the record on appeal due to health problems. This court issued an order on December 14, 2015, granting Appellants an extension until February 1, 2016, to serve and file the amended record on appeal. This court further provided that Appellants' failure to file an amended record on appeal by February 1, 2016, would result in the administrative dismissal of Appellants' appeal.

On January 28, 2016, Appellants filed another letter with this court, which we construe as a motion for a six-week extension to serve and file the record on appeal. Appellants' motion for an extension is denied.

Because Appellants have not complied with this court's December 14, 2015 order, this case is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

cc: Ray Long
Mary Long
James P. Walsh, Esquire

FILED
3/8/16 