

The South Carolina Court of Appeals

The State, Respondent,

v.

Benny L. Webb, Appellant.

Appellate Case No. 2014-001848

ORDER

On February 11, 2016, this court ordered Appellant to serve an amended record on appeal within twenty days that included all matters designated by the parties. Although Appellant served and filed an amended record on appeal, the amended record did not include Respondent's designations and it was not consecutively paginated. Due to Appellant's failure to comply with our order, Respondent filed a motion to dismiss the appeal.

On April 22, 2016, this court ordered Appellant to serve and file a second amended record on appeal within ten days. We explained that the second amended record must include all of the documents referenced in Respondent's designation of matter and must contain page numbers on the bottom of each page beginning with the index. This court further stated that we would consider Respondent's motion to dismiss the appeal upon receipt of the second amended record on appeal or upon the expiration of ten days.

Because it has been sixty-three days since we ordered Appellant to serve and file a second amended record on appeal and Appellant has failed to comply with our order, Respondent's motion to dismiss this appeal is granted. The remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

FILED
6/28/16

Columbia, South Carolina

cc:

Benny L. Webb

Alan McCrory Wilson, Esquire

Jimmy A. Richardson, II, Esquire

Vann Henry Gunter, Jr., Esquire