



The South Carolina Court of Appeals

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October 03, 2016

The Honorable Jana E. Shealy
1205 Pendleton Street
Columbia SC 29201

REMITTITUR

Re: SCDMV v. Ashby Hiser
Lower Court Case No. 2015ALJ210532AP
Appellate Case No. 2016-001028

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Sean Francis Cronin, Esquire
Brandy Anne Duncan, Esquire

The South Carolina Court of Appeals

South Carolina Department of Motor Vehicles,
Respondent,

v.

Ashby Hiser, Appellant.

Appellate Case No. 2016-001028

ORDER

Appellant's initial brief and designation of matter should have been served and filed by June 13, 2016.¹ Appellant filed a motion for an extension of time on June 6, 2016; however, Appellant never filed a filing fee for the motion as required by Rule 240, SCACR. This court requested the filing fee to be paid within ten days of our June 10, 2016, letter and our July 11, 2016 letter. Respondent has now filed a motion to dismiss. Because Appellant never properly requested an extension and because Appellant has failed to serve and file Appellant's initial brief and designation of matter, this appeal is dismissed. The remittitur will be sent as required by Rule 221(b), SCACR.

Columbia, South Carolina



FOR THE COURT

cc:

Sean Francis Cronin, Esquire

Brandy Anne Duncan, Esquire

FILED

September 14, 2016

¹ Appellant served his notice of appeal on May 12, 2016. Rule 208(a)(1), SCACR, requires Appellant to serve and file the initial brief within thirty days of service of the notice of appeal if no transcript is required. Here, June 11 fell on a Saturday; accordingly, the brief should have been served and filed by June 13, 2016.