

# The South Carolina Court of Appeals

Conyers Early Learning Center, Inc., Appellant,

v.

Formeicko Smith, Respondent.

Appellate Case No. 2017-000846

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## ORDER

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This appeal was dismissed due to Appellant's failure to correct deficiencies in the notice of appeal as requested by this court's April 12, 2017 letter. Appellant has now filed a petition to reinstate and attached a new notice of appeal and proof of service. After careful consideration, Appellant's petition to reinstate is granted, and the appeal of Judge Newman's March 8, 2017 order granting summary judgment is hereby reinstated. This court notes Appellant's amended notice of appeal also attempts to appeal an order of Judge Manning; however, because that order has not yet been reduced to writing or filed, the appeal is premature. *See Bayne v. Bass*, 302 S.C. 208, 210, 394 S.E.2d 726, 727 (Ct. App. 1990) (holding that a ruling "is not a final ruling on the merits nor is it binding on the parties until it has been reduced to writing, signed by the Judge and delivered for recordation"); Rule 201(a), SCACR ("Appeal may be taken, as provided by law, from any final judgment, appealable order or decision.").

  
FOR THE COURT

Columbia, South Carolina

cc:

Johnny Elliot Watson, Sr., Esquire

Jeffrey Ian Silverberg, Esquire

Benjamin Davis McCoy, Esquire

**FILED**

July 19, 2017