

The South Carolina Court of Appeals

Sylvia Williams, Appellant,

v.

Belton Platt, Herbert Conley and Elmira Conley,
Respondents.

Appellate Case No. 2017-001358

ORDER

Appellant has filed a notice of appeal from an order of the court of common pleas. Appellant indicated she received written notice of entry of the order on May 15, 2017. Appellant has now indicated she served all Respondents with the notice of appeal on July 11, 2017. Pursuant to Rule 203(b)(1), SCACR, Appellant must have served the notice of appeal "on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment." Thirty days after receipt of written notice of entry of the order would have been June 14, 2017. Because Appellant has failed to provide proof she timely served the notice of appeal, this appeal is dismissed. *See Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004) ("The requirement of service of the notice of appeal is jurisdictional, i.e., if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice."). The remittitur will be sent as required by Rule 221, SCACR.¹

Columbia, South Carolina


FOR THE COURT

¹ Because this appeal is dismissed, this court will take no action on Appellant's motion "to stay and supersedeas."

FILED

July 19, 2017

cc:

Sylvia Williams

William M. Saltzman, Esquire

Herbert Conley

Elmira Conley