

The South Carolina Court of Appeals

Thomas Raymond Firriolo, Appellant,

v.

City of Greenville, et al, Respondents.

Appellate Case No. 2017-000560

ORDER

Respondent City of Greenville has filed a motion to dismiss the appeal, arguing Appellant failed to timely serve all Respondents with the notice of appeal. Appellant did not file a return.

Because Appellant has failed to provide proof he timely served all Respondents with the notice of appeal, the motion to dismiss is granted. *See* Rule 203(b)(1), SCACR (providing a notice of appeal must be served on all respondents within thirty days after receipt of written notice of the entry of the order); Rule 263(b), SCACR ("The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rules 203 and 243 may be extended"); *Mears v. Mears*, 287 S.C. 168, 337 S.E.2d 206 (1985) (explaining the notice of appeal is a jurisdictional requirement, and the appellate courts have no authority to extend the time in which the notice of intent to appeal must be served). The remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

Thomas Raymond Firriolo
Adam Crittenden Bach, Esquire
Robert Hudson Smith, Esquire
Charles Franklin Turner, Jr., Esquire

FILED

August 1, 2017