

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

The State, Respondent,

v.

Daniel Glen Hieronymus, Appellant.

Appellate Case No. 2016-001624

Appeal From Colleton County
Perry M. Buckner, III, Circuit Court Judge

Unpublished Opinion No. 2017-UP-398
Submitted September 1, 2017 – Filed October 18, 2017

AFFIRMED

Nancy Bloodgood, of Bloodgood & Sanders, LLC, of
Mount Pleasant, for Appellant.

Attorney General Alan McCrory Wilson and Senior
Assistant Deputy Attorney General John Benjamin Aplin,
both of Columbia, for Respondent.

PER CURIAM: Daniel Hieronymus appeals the circuit court's dismissal of his appeal from magistrate court, arguing the circuit court erred by (1) ruling a ticket issued by the Department of Health and Environmental Control (DHEC) was criminal in nature and (2) dismissing his appeal as untimely. We affirm pursuant

to Rule 220(b), SCACR, and the following authorities: *State v. Fairey*, 374 S.C. 92, 106, 646 S.E.2d 445, 452 (Ct. App. 2007) (recognizing "an unchallenged ruling, right or wrong, is the law of the case"); *State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) ("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." (quoting *USAA Prop. & Cas. Ins. Co. v. Clegg*, 377 S.C. 643, 651, 661 S.E.2d 791, 795 (2008))); S.C. Code Ann. § 18-3-30(A) (2014) ("The appellant, within ten days after sentence [in the magistrate court], shall file notice of appeal with the clerk of circuit court and shall serve notice of appeal upon the magistrate who tried the case and upon the designated agent for the prosecuting agency or attorney who prosecuted the charge, stating the grounds upon which the appeal is founded.").

AFFIRMED.¹

SHORT, KONDUROS, and GEATHERS, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.