

The South Carolina Court of Appeals

Michael L. Sgro, Appellant,

v.

State of South Carolina and Town of Surfside Beach,
Respondents.

Appellate Case No. 2017-002492

ORDER

Appellant has filed several documents, which we construe together as a motion to reinstate this appeal. This appeal was dismissed due to Appellant's failure to (1) submit the notice of appeal filing fee, (2) provide a copy the order challenged on appeal, (3) provide proof he served the notice of appeal on Respondent, and (4) provide proof he filed the notice of appeal with the circuit court.

Although Appellant has still not provided this court with a copy of the order on appeal, it appears Appellant is attempting to appeal the circuit court's order of November 5, 2013, which dismissed Appellant's criminal appeal from the magistrate's court. Because this appeal stems from a criminal conviction in the magistrate's court, the \$100.00 notice of appeal filing fee is not required. However, Appellant has still not provided this court with a copy of the circuit court's order, and he has not provided proof that he filed his notice of appeal with the circuit court. Further, although Appellant has now filed proof that he served Respondents with the notice of appeal on February 6, 2018, Appellant's service was not timely pursuant to Rule 203(b)(1) of the South Carolina Appellate Court Rules. *See* Rule 203(b)(1), SCACR (providing the notice of appeal in an appeal from the court of common pleas must be served on all respondents within thirty days of receipt of written notice of the entry of the order). Accordingly, Appellant's motion to reinstate this appeal is denied.



James E. Eck S.J.
Paul G. Short, Jr. J.
[Signature] J.

Columbia, South Carolina

cc:
Michael Louis Sgro
Maronee Elizabeth Pitcher, Esquire

FILED

March 22, 2018