

# The South Carolina Court of Appeals

The State, Respondent,

v.

Phillip Marion Turner, Appellant.

Appellate Case No. 2017-000061

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## ORDER

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Respondent's motion to dismiss this appeal is granted because Appellant failed to timely serve the notice of appeal on Respondent as set forth in Rule 203(b)(2) of the South Carolina Appellate Court Rules. *See* Rule 203(b)(2), SCACR (providing in appeals from the court of general sessions the notice of appeal shall be served on all Respondents within ten days after receipt of written notice of the entry of the order or judgment); 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 service of 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:  
Phillip Marlon Turner, 288680  
Alan McCrory Wilson, Esquire  
William M. Blich, Jr., Esquire

**FILED**

June 1, 2018