

# The South Carolina Court of Appeals

Delores Lewis, as Personal Representative for the Estate  
of Roxie Williams, deceased, Appellant,

v.

Brookdale Senior Living, Inc., FEBC-ALT Investors,  
LLC, FEBC-ALT Holdings, Inc., AHC Sterling House of  
Harbison, LLC, Brookdale Senior Living Communities,  
Inc., d/b/a Sterling House of Harbison, Respondents.

Appellate Case No. 2019-000094

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## ORDER

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First, Attorney Laura Pettiss Harrill's motion to be relieved as counsel for Appellant is granted.

Second, because Appellant failed to timely serve the notice of appeal, this appeal is dismissed. Appellant received written notice of entry of the order on appeal on November 15, 2018. Appellant served the notice of appeal on January 17, 2019. Accordingly, this appeal is dismissed, and the remittitur will be sent as required by Rule 221(b), SCACR. *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.").

  
FOR THE COURT

Columbia, South Carolina

**FILED**

April 10, 2019

cc:

Delores Lewis

Mark V. Gende, Esquire

William O. Sweeny, III, Esquire

Lara Pettiss Harrill, Esquire