

# The South Carolina Court of Appeals

The State, Respondent,

v.

Daquahn Caleif Brice, Appellant.

Appellate Case No. 2019-001162

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## ORDER

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This appeal arises out of the appellant's conviction and sentence, which were issued on June 26, 2019. The notice of appeal indicates it was served on July 11, 2019. Accordingly, the appeal is dismissed for failure to timely serve the notice of appeal. *See 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))). The remittitur will be sent pursuant to Rule 221(b) of the South Carolina Appellate Court Rules.

  
FOR THE COURT

Columbia, South Carolina

cc:

Alan McCrory Wilson, Esquire  
William M. Blicht, Jr., Esquire  
Sharon Josepha Ohayon, Esquire  
Robert Michael Dudek, Esquire  
Jessica Marie Russo, Esquire

**FILED**

July 19, 2019