

# The South Carolina Court of Appeals

The State, Respondent,

v.

Dishshi Rodrickus Young, Appellant.

Appellate Case No. 2019-001021

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## ORDER

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The notice of appeal arises out of a probation revocation hearing that occurred on June 7, 2019. The appellant, representing himself pro se, served the notice of appeal on the Clerk of Court for Lexington County but not on counsel for the Department of Probation, Parole, and Pardon Services. Additionally, the notice of appeal that was served only on the Clerk of Court was served on June 18, 2019, which is 11 days after probation was revoked. Accordingly, the appeal is dismissed for failure to timely serve the notice of appeal on the respondent. *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.

 , C.J.  
FOR THE COURT

Columbia, South Carolina

cc:

**FILED**

August 9, 2019

Dishshi Rodrickus Young, 311120  
Robert Michael Dudek, Esquire  
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