

The South Carolina Court of Appeals

Ronald I. Paul, Appellant,

v.

South Carolina Department of Transportation; Paul D. de Holczer, individually and as a partner of the law firm of Moses, Koon & Brackett, PC; Michael H. Quinn, individually and as senior lawyer of Quinn Law Firm, LLC; J. Charles Ormond, Jr., individually and as a partner of the Law Firm of Holler, Dennis, Corbett, Ormond, Plante & Garner; Oscar K. Rucker, in his individual capacity as Director, Rights of Way South Carolina Department of Transportation; Macie M. Gresham, in her individual capacity as Eastern Region Right of Way Program Manager South Carolina Department of Transportation; Natalie J. Moore, in her individual capacity as Assistant Chief Counsel, South Carolina Department of Transportation, Respondents.

Appellate Case No. 2019-001224

ORDER

The motion to dismiss Appellant's appeal from the circuit court's June 7, 2019 order dismissing Respondent Moses, Koon & Brackett, PC from the action is granted because Appellant failed to timely serve his notice of appeal from the order as required by Rule 203(b)(1) of the South Carolina Appellate Court Rules. *See* Rule 203(b)(1) ("A notice of appeal must be served on all respondents within thirty days after receipt of written notice of 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 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). Although a timely motion to alter or amend stays the time for appeal pursuant to Rule 203(b)(1), Appellant's motion for reconsideration did not relate to the order dismissing Moses, Koon & Brackett, PC. Accordingly, Appellant's appeal from the circuit court's June 7, 2019 order dismissing Moses, Koon & Brackett, PC from the underlying action is dismissed. This appeal shall proceed as to the remaining orders referenced in Appellant's notice of appeal.


FOR THE COURT

Columbia, South Carolina

cc:

Ronald I. Paul

Andrew F. Lindemann, Esquire

John Charles Ormond, Jr., Esquire

B. Michael Brackett, Esquire

Michael H. Quinn, Esquire

FILED

September 11, 2019