



The South Carolina Court of Appeals

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September 27, 2019

The Honorable Jeanette W. McBride
PO Box 2766
Columbia SC 29202-2766

PARTIAL REMITTITUR

Re: Ronald I. Paul v. SCDOT
Lower Court Case No. 2018CP4005641
Appellate Case No. 2019-001224

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Ronald I. Paul
Andrew F. Lindemann, Esquire
John Charles Ormond, Jr., Esquire
B. Michael Brackett, Esquire
Michael H. Quinn, Esquire

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