



The South Carolina Court of Appeals

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October 16, 2019

The Honorable Jana E. Shealy
Edgar A. Brown Building
1205 Pendleton Street
Suite 224
Columbia SC 29201

REMITTITUR

Re: Spencer Utsey v. SCDC
Lower Court Case No. 2018ALJ040259AP
Appellate Case No. 2019-000434

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,


CLERK

Enclosure

cc: Spencer Utsey, 192660
Christina Catoe Bigelow, Esquire

The South Carolina Court of Appeals

Spencer Utsey, #192660, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-000434

ORDER

Because Appellant failed to provide proof he timely served the Administrative Law Court with the notice of appeal, this appeal is dismissed. *See* Rule 203(b)(6), SCACR ("When a statute allows a decision of the administrative law court or agency (administrative tribunal) to be appealed directly to the Supreme Court or the Court of Appeals, the notice of appeal shall be served on the agency, the administrative law court (if it has been involved in the case) and all parties of record within thirty (30) days after receipt of the decision.").¹ The remittitur will be sent as required by Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:
Spencer Utsey, 192660
Christina Catoe Bigelow, Esquire

FILED

5/3/19

¹ Because this appeal is dismissed, this court will take no action on Appellant's pending motions.

The South Carolina Court of Appeals

Spencer Utsey, #192660, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-000434

ORDER

This court construes Appellant's petition to reinstate as a petition to rehear the dismissal of this appeal. After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

Thomas C. Huff

J.

Paul W. Thomas

J.

U. Ke

J.

Columbia, South Carolina

cc:
Spencer Utsey, 192660
Christina Catoe Bigelow, Esquire

FILED

July 30, 2019