



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
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November 13, 2019

The Honorable Gwendolyn D. Chiles
133 S. Mine Street Suite 102
McCormick, SC 29835-8357

REMITTITUR

Re: Terron Dizzley v. SCDC
Lower Court Case No. 2018CP3500058
Appellate Case No. 2019-001077

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,

A handwritten signature in cursive script, appearing to read "Jenny Abbott Kitchings".

CLERK

Enclosure

cc: Terron Dizzley, 359480
Steven Michael Pruitt, Esquire

The South Carolina Court of Appeals

Terron Dizzley, #359480, Appellant,

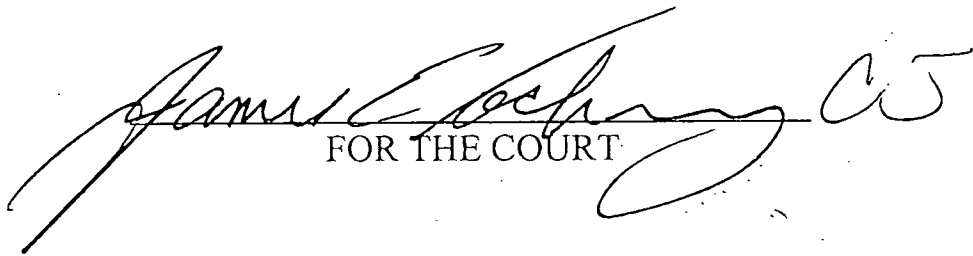
v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2019-001077

ORDER

This appeal is dismissed because Appellant failed to timely serve the notice of appeal on Respondent. *See* Rule 203(b)(1), SCACR (providing the appellant must serve the notice of appeal on all parties within thirty days after written notice of entry of the order); 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 227 may be extended" (emphasis added)); *Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) (explaining service of the notice of appeal is a jurisdictional requirement, and the appellate courts have no authority to extend the time in which the notice must be served). The remittitur will be sent as required by Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

Terron Dizzley, 359480

Steven Michael Pruitt, Esquire

FILED

October 25, 2019