

The South Carolina Court of Appeals

Select Health of South Carolina, Inc., agent for South
Carolina Department of Health and Human Services,
Appellants,

v.

[Minor Child], Respondent.

Appellate Case No. 2019-001323

ORDER

After consideration of Appellants' filings, this appeal is dismissed because Appellants failed to timely serve the notice of appeal on the Administrative Law Court (ALC). *See* Rule 203(b)(6), SCACR (requiring the notice of appeal be served on the agency, the ALC, and all parties within thirty days of receipt of the decision). Here, Appellants received the ALC's order denying the motion to reconsider on July 9, 2019. Although Appellants indicated they served the notice of appeal on all parties and this Court on August 7, 2019, Appellants proof of service filed August 19, 2019 indicates Appellants served the ALC on August 15, 2019. Accordingly, service on the ALC was not timely, and this appeal is dismissed. *See* 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 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 of intent to appeal must be served). The remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

Nicole Thomas Wetherton, Esquire

Joseph John Tierney, Jr., Esquire

Anna Maria Conner, Esquire

FILED

Nov. 22, 2019