

The South Carolina Court of Appeals

The State, Respondent,

v.

Samuel Decarlos Watson, Appellant.

Appellate Case No. 2019-001903

ORDER

Appellant's motion to file appeal out of time is denied. Because Appellant failed to timely serve the notice of appeal, this appeal is dismissed. *See* Rule 203(b)(2), SCACR ("After a plea or trial resulting in conviction or a proceeding resulting in revocation of probation, a notice of appeal shall be served on all respondents within ten (10) days after the sentence is imposed."); Rule 263(b) ("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 or shortened by the appellate court, or by any judge or justice thereof." (emphasis added)); *State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) (providing that even in criminal cases, "the requirement of service of the notice of appeal is jurisdictional, i.e., if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice").


FOR THE COURT

Columbia, South Carolina

cc:

Samuel D. Watson, 00281072
Alan McCrory Wilson, Esquire

FILED
January 10, 2020

William M. Blich, Jr., Esquire
Corissa Noel Golla, Esquire
Robert Michael Dudek, Esquire
Jonathan Christopher Bonds, Esquire