



The South Carolina Court of Appeals

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January 30, 2020

The Honorable Amy Bracy
Worker's Compensation Commission
Post Office Box 1715
Columbia SC 29202

PARTIAL REMITTITUR

Re: Frankie Padgett v. Cast and Crew Entertainment
Lower Court Case No. 1506114
Appellate Case No. 2019-001254

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: Vernon F. Dunbar, Esquire
Stephen Benjamin Samuels, Esquire

The South Carolina Court of Appeals

Frankie Padgett, Claimant, Respondent/Appellant,

v.

Cast and Crew Entertainment Services, Inc., Employer,
and American Zurich Insurance Company, Carrier,
Appellants/Respondents.

Appellate Case No. 2019-001254

ORDER

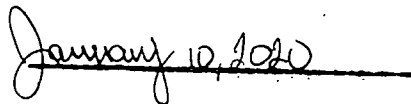
Because Respondent/Appellant's cross appeal was untimely served on Appellants/Respondents, the motion to dismiss is granted. *See Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 14–15, 602 S.E.2d 772, 775 (2004) ("The requirement of service of the notice of appeal is jurisdictional, i.e., if a party misses 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."). The partial remittitur will be sent as required by Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

cc:
Vernon F. Dunbar, Esquire
Stephen Benjamin Samuels, Esquire
Amy Bracy

FILED


January 10, 2020