

The South Carolina Court of Appeals

Joseph E. Mason, Jr., Appellant,

v.

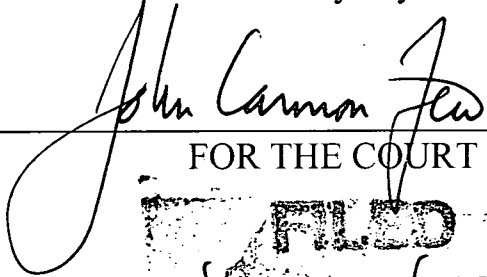
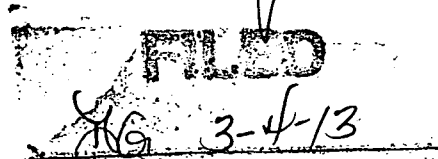
Catherine L. Mason, Joseph E. Mason, Sr., Kathy St. Blanchard, Mason Holding Company, Inc., and Irwin Levine, Respondents.

Appellate Case No. 2012-212146

ORDER

Respondent Irwin Levine has filed a motion to dismiss, arguing the appeal against him should be dismissed because "Appellant has failed to comply with Rule 203(d)(B)(ii), SCACR, in that the Notice of Appeal . . . did not name Levine as a Respondent, and the Appellant did not attach Final Order [Ending Action as to Defendant Irwin Levine] to the Notice of Appeal." Levine further argues "[n]either the Amended Notice of Appeal . . . nor the Second Amended Notice of Appeal cured [the] jurisdictional defect." After careful consideration of the motion to dismiss and Appellant's return, the motion is denied. However, nothing in this order prevents Respondent Levine from raising this issue in his brief for the assigned panel to consider along with the merits of this appeal.

Respondents' motions for extensions are granted. Respondents shall serve and file their initial briefs and designations of matter within thirty days.


C.J.
FOR THE COURT


Columbia, South Carolina

cc:

Robert Yates Knowlton, Sr.

Emma Ruth Brittain

J. Jackson Thomas

John M. Leiter