

The South Carolina Court of Appeals

Montavis Kentrall Gaines, #323168, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2020-000725

ORDER

This appeal arises out of an order of the Administrative Law Court dismissing Appellant's appeal on January 16, 2020. Appellant received notice of the order on January 19, 2020. The proof of service provided with the notice of appeal shows service on April 16, 2020. Because the notice of appeal was not timely served, the appeal is dismissed. *See Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 14, 602 S.E.2d 772, 775 (2004) (noting timely service of the notice of appeal is a jurisdictional requirement); Rule 203(b)(6), SCACR ("When a statute allows a decision of the administrative law court or agency (administrative tribunal) to be appealed directly to the Supreme Court or the Court of Appeals, the notice of appeal shall be served on the agency, the administrative law court (if it has been involved in the case) and all parties of record within thirty (30) days after receipt of the decision."). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.


FOR THE COURT, C.J.

Columbia, South Carolina

cc:
Christina Catoe Bigelow, Esquire

FILED
May 12 2020