

The South Carolina Court of Appeals

The State, Respondent,

v.

Robert Lewis Worthy, Appellant.

Appellate Case No. 2020-000713

ORDER

After careful consideration, Appellant's motion to file out of time is denied. Because Appellant failed to timely serve the notice of appeal, this appeal is dismissed. *See State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) ("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."); 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. When a timely post-trial motion is made under Rule 29(a), SCRCrimP, the time to appeal shall be stayed and shall begin to run from receipt of written notice of entry of an order granting or denying such motion."). The remittitur will be sent as required by Rule 221, SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

Stanley Lamont Myers, Sr., Esquire

Lester McGill Bell, Jr., Esquire

Robert Michael Dudek, Esquire
Candice A. Lively, Esquire
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FILED
May 20 2020