



The South Carolina Court of Appeals

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October 13, 2020

The Honorable Judy Bonds
PO Drawer 299
Winnsboro SC 29180-0299

REMITTITUR

Re: Broad River Campground, LLC v. Jenkinsville Water Company, Inc.
Lower Court Case No. 2014CP2000349
Appellate Case No. 2020-000982

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,

V. Claire Allen

CLERK

Enclosure

cc: Glenn E. Bowens, Esquire
Jonathan McCoy Goode, Esquire
Reginald Wayne Belcher, Esquire
Mark Brandon Goddard, Esquire
Hannah Davis Stetson, Esquire

The South Carolina Court of Appeals

Broad River Campground, LLC, Appellant,

v.

Jenkinsville Water Company, Inc., Respondent.

Appellate Case No. 2020-000982

ORDER

After careful consideration of the parties' filings, this appeal is dismissed because Appellant failed to timely serve the notice of appeal. *See* Rule 203(b)(1), SCACR, (providing a notice of appeal from the court of common pleas must be served within thirty days after receipt of written notice of entry of the order or judgment); Rule 203(b)(1) (providing a *timely* motion to alter or amend stays the time for appeal and the time shall run from receipt of written notice of entry of the order granting or denying the motion); Rule 203(b)(1), SCACR (excluding Rule 60, SCRCR motions from the types of post-trial motions that toll the time for serving the notice of appeal); Rule 263(b), SCACR ("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 . . ."); *Mears v. Mears*, 287 S.C. 168, 337 S.E.2d 206 (1985) (explaining the notice of appeal is a jurisdictional requirement, and the appellate courts have no authority to extend the time in which the notice of intent to appeal must be served); S.C. Supreme Court Order RE: Operation of the Trial Courts During the Coronavirus Emergency (As Amended April 22, 2020) (explaining the extensions of time and forgiveness of procedural defaults set forth in the order do not affect the time for taking action under Rule 59, SCRCR, or for serving the notice of appeal under the South Carolina Appellate Court Rules).



FOR THE COURT

Columbia, South Carolina

cc:

Glenn E. Bowens, Esquire
Jonathan McCoy Goode, Esquire
Reginald Wayne Belcher, Esquire
Mark Brandon Goddard, Esquire
Hannah Davis Stetson, Esquire

FILED
Sep 17 2020
