

The Supreme Court of South Carolina

Amy Crocetti, Personal Representative for the Estate of
Marilyn M. Skinner, Respondent,

v.

Barbara S. Vanett, Personal Representative for the Estate
of Bruce S. Skinner, Appellant.


Appellate Case No. 2011-198726


ORDER

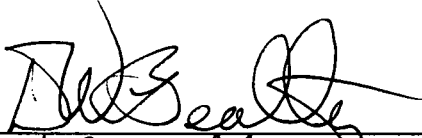
This appeal is scheduled to be argued on Wednesday, April 3, 2013. The parties have now informed the Clerk of Court that on March 13, 2013, the parties settled the matter, thereby rendering the appeal moot. The parties have provided a copy of a Consent Order signed by the Charleston County Probate Court approving the settlement.


Upon the service of a notice of appeal, the appellate court shall have exclusive jurisdiction over the appeal. Rule 205, SCACR. The lower court is not prohibited, however, from proceeding with matters not affected by the appeal. *Id.*

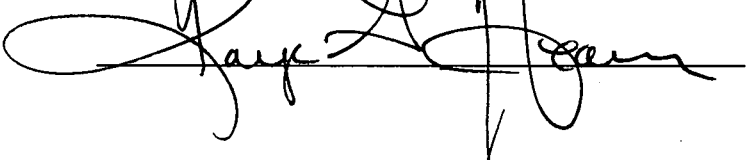
Because the consent order, as it specifically indicates, involves matters affected by the appeal pending before this Court, the probate court did not have jurisdiction to approve the settlement agreement and issue a consent order. We therefore vacate the consent order. The parties should instead request that the case be remanded to the probate court for consideration of the proposed settlement, and if the settlement is approved, for dismissal of the appeal.


C.J.


J.



J.


J.


J.

Columbia, South Carolina

March 20, 2013

cc:

Shelly Kuzminsky All

Joseph S. Brockington

Shirrese Brown Brockington