

# The South Carolina Court of Appeals

Melissa Diann McFerrin, Appellant,

v.

South Carolina Department of Motor Vehicles and South  
Carolina Department of Public Safety, Respondents.

Appellate Case No. 2021-001167

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## ORDER

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This appeal arises out of an order of the Administrative Law Court (ALC) affirming the Office of Motor Vehicle Hearings' decision on September 17, 2021. Appellant received notice of the order on September 18, 2021. The proof of service provided with the notice of appeal fails to show service on the ALC. Because the notice of appeal was not timely served on the ALC, 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

Columbia, South Carolina

cc:  
Clarence Rauch Wise, Esquire  
Brandy Anne Duncan, Esquire

**FILED**  
**Nov 18 2021**