

# The South Carolina Court of Appeals

William W. Hulvey, Appellant,

v.

Horry County Assessor, Respondent.


Appellate Case No. 2021-001045

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## ORDER

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After careful consideration, Respondent's motion to dismiss is granted. *See* Rule 203(b)(6) (providing the notice of appeal from the ALC shall be served on the agency, the ALC, and all other parties "within thirty (30) days after receipt of the decision"); *Wells Fargo Bank, N.A. v. Fallon Properties S.C., LLC*, 422 S.C. 211, 217, 810 S.E.2d 856, 859 (2018) (holding an email providing notice of entry of the order triggers the time to appeal under Rule 203(b)(1), SCACR, "as long as the email is received from the court, an attorney of record, or a party"); *id.* at 219, 810 S.E.2d 856, 860 (overruling *White v. S.C. Dep't of Health and Env't Control*, 392 S.C. 247, 708 S.E.2d 812 (Ct. App. 2011), to the extent it held receipt of the decision by mail or hand delivery was required in order to trigger the time to appeal from the ALC under Rule 203(b)(6), explaining it would be inconsistent to permit receipt of notice of entry of an order by email under Rule 203(b)(1), but permit receipt of an order only by mail or hand delivery under Rule 203(b)(6)); S.C. Code Ann. § 26-6-150(B) ("[A]n electronic record is received when it: (1) enters an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record; and (2) is in a form capable of being processed by that system."). The remittitur will be sent as required by Rule 221(b), SCACR.



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FOR THE COURT

Columbia, South Carolina

**FILED**  
**Jan 12 2022**

cc:

William W. Hulvey

Arrigo Paul Carotti, Esquire

Carmen Vaughn Ganjehsani, Esquire

Douglas Charles Baxter, Esquire