

The South Carolina Court of Appeals

Kevin Staveley-O'Carroll, Appellant,

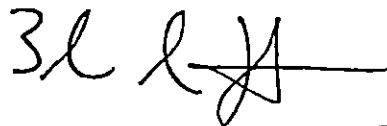
v.

Fenix Automotive, LLC, Respondent.

Appellate Case No. 2021-001351

ORDER

Respondent has filed a motion to dismiss and remand to the circuit court for consideration of Respondent's Rule 59(e), SCRCP, motion. Respondent's motion is hereby granted and this appeal is dismissed without prejudice. *See Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986) ("[I]n the event timely post-trial motions are filed under Rule 59, simultaneously with or subsequent to the filing of a Notice of Appeal, the appellant shall notify the Clerk of . . . Court in writing. Upon receipt of such notice, the appeal shall be dismissed without prejudice. Any party can appeal within ten (10) days after the order disposing of the post-trial motions. A second filing fee will not be collected from a party who previously appealed.").



FOR THE COURT

Columbia, South Carolina

FILED
Jan 28 2022

cc:

Warren W. Wills, III, Esquire

Damien Andreas Sobieraj, Esquire