

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Brenda Peterson, Respondent,

v.

Hughie Peterson, Jr., Appellant.

Appellate Case No. 2012-205606

Appeal From Orangeburg County
Anne Gue Jones, Family Court Judge

Unpublished Opinion No. 2013-UP-085
Heard February 12, 2013 – Filed February 20, 2013

APPEAL DISMISSED

Lawrence Keitt, of the Law Office of Lawrence Keitt, of
Orangeburg, for Appellant.

Lewis C. Lanier, of Lanier & Burroughs, LLC, of
Orangeburg, for Respondent.

PER CURIAM: Hughie Peterson, Jr. appeals the family court's final order in his divorce from Brenda Peterson, arguing the family court erred in apportioning the parties' assets. We dismiss the appeal pursuant to Rule 220(b), SCACR, and the following authority: *Elam v. S.C. Dept. of Transp.*, 361 S.C. 9, 20, 602 S.E.2d 772, 778 (2004) (holding an appeal is "barred due to untimely service of the notice

of appeal when a party—instead of serving a notice of appeal—files a successive Rule 59(e) motion, where the trial judge's ruling on the first Rule 59(e) motion does not result in a substantial alteration of the original judgment." (citation omitted)).

APPEAL DISMISSED.

FEW, C.J., and GEATHERS and LOCKEMY, JJ., concur.