

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT FEB 06 2023
Ralph K. Anderson Administrative Law Judge SC Court of Appeals
Case No. 22-ALJ-04-0113 - AP

William Cathcart, #249565,

APPELLANT,

v.

South Carolina Department of Corrections,

RESPONDENT,

MOTION TO REINSTATE APPEAL

The Appellant files this Motion to Reinstate Appeal Pursuant to Rule 60(a) SCACR. The Appellant William Cathcart attest that there is good cause for reinstatement and request leave of the Court.

Date: Feb 2, 2023

William Cathcart
APPELLANT

Jacobs R. Shakibanasab
Office of General Counsel
4444 Broad River Rd
Columbia, SC 29201-1787

Jessay A. Kitchings
S.C. Court of Appeals
Clerk of Court
P.O. Box 11629
Columbia, SC 29211

STATEMENT OF ISSUE ON MOTION

The order dated December 1, 2022 that striking the Appellant Designation of matter fail to instruct the Appellant that he could file a Amended Record on Appeal.

(Exhibit - 1)

The South Carolina Court of Appeals

William Cathcart, #249565, Appellant,

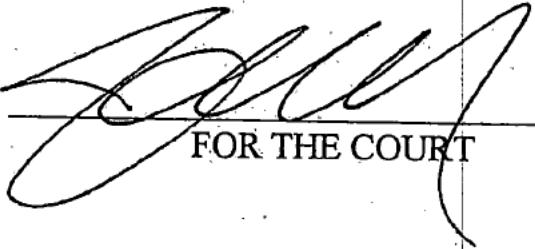
v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2022-001331

ORDER

Respondent's motion to strike Appellant's designation of matter is granted. See Rule 210(c), SCACR ("The Record shall not . . . include matter which was not presented to the lower court or tribunal.").



FOR THE COURT

Columbia, South Carolina

cc:
William A. Cathcart, 00249565
Joseph R Shakibanasab, Esquire

FILED
Dec 01 2022

ARGUMENT

The Appellant concedes that he did not file a Amended Record on Appeal because he was unaware that he could. The order that was dated December 1, 2022 was absent any language instructing the Appellant to file a Amended Record on Appeal within a time frame. (See Exhibit 1) The Appellant has been diligent of complying with the applicable Rules to perfect the appeal. The Appellant respectfully request that his appeal be reinstated by the court because there is good cause shown.

CONCLUSION

The Appellant respectfully request that this court reinstate the appeal and allow the Appellant to file the appropriate Record on Appeal.

Date: Feb 2, 2023

William Carter

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William Cathcart, #249565,

APPELLANT,

V.

South Carolina Department of Corrections,

RESPONDENT,

CERTIFICATE OF SERVICE

I William Cathcart #249565 hereby certify that I have this 2nd day of February 2023 mail a true copy of the Motion to Reinstate Appeal to the below mentioned service was made by mail in a properly addressed envelope

Joseph R. Shaktibansal
Office of General Counsel
4444 Broad River Rd.
Columbia SC 29221-1787

William Cathcart

S.C. Court of Appeals
Clerks Office
P.O. Box 11629
Columbia, SC 29211

William Gathert 249568
Macedonia SC 29119
1516 Old Gilliam Rd
Ridgeville SC 29472

CHARLESTON SC 294

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Jenny Kitchen
SC Court of Appeals
SC Court of Appeals
P.O. Box 11629
Columbia, SC

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