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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Greenwood County Court of General Sessions
The Honorable Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2022-001156

The State of South Carolina.....Respondent

v.

Phillip F. Derrick..... Appellant

MOTION TO REINSTATE

NOW COMES the Appellant, Phillip Derrick, by and through undersigned counsel, and hereby moves to reinstate the appeal in the above-captioned case.

On March 1, 2023, this Court dismissed the above-captioned appeal under Rule 208 and on the basis that no update had been provided regarding the status of the transcript pursuant to the Court’s out-going letter dated February 1, 2023. The Court’s February 1st, 2023 letter directed Appellant to update the Court regarding the status of the transcript after granting Appellant’s

request for an abeyance to allow for the receipt of requested exhibits from the Greenwood County Sherriff's Office that had gone missing.

On February 17, 2023, Undersigned filed a letter via Sharepoint explaining that the requested trial exhibits previously misplaced by the Greenwood Sheriffs' office had been received, as well as the transcript, and that the brief and designation of matter would accordingly be filed. Undersigned had also previously filed a letter explaining that the transcript had been delivered on October 13, 2022.

Later that day on February 17, 2023, Undersigned received an email from Court of Appeals Filings with a date-stamped copy of that letter. (See attached Email & Date-Stamped Copy). However, the date-stamped Derrick letter was combined with a date-stamped copy of a Motion for Extension of Time for a different case (*State v. Dizzley*, App. Case No. 2022-000671) that Undersigned had also filed on the morning of February 17, 2023. Review of the ctrack for both Derrick's case and the Dizzley case shows that the combined filing were inadvertently entered in the Dizzley ctrack only and that no entry was made in the Derrick ctrack demonstrating that Undersigned had filed the February 17, 2023 letter.

For the forgoing reasons, Appellant respectfully moves this Court to reinstate the appeal.

Respectfully Submitted,

By: s/Lauren C. Hobbis, 103190

William G. Yarborough III, Attorney at Law, LLC
308 West Stone Avenue
Greenville, South Carolina 29609
(864) 331-1612



Lauren Hobbis <laurenwgylaw@gmail.com>

The State v. Phillip F. Derrick 2022-001156

Court Of Appeals Filings <ctappfilings@sccourts.org> Fri, Feb 17, 2023 at 2:35 PM

To: Lauren Hobbis <laurenwgylaw@gmail.com>, Lisa Cherry <lisa@wgylaw.com>

Cc: Court Of Appeals Filings <ctappfilings@sccourts.org>

Dear Counsel:

The Court has received your filing. A stamped copy is attached for your records.

Thank you.

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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 State v. Derrick - Ext.pdf  
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Feb 17 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Georgetown County Court of General Sessions  
The Honorable Benjamin H. Culbertson, Circuit Court Judge

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Appellate Case No. 2022-000671

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State of South Carolina,.....Respondent.

v.

Terron G. Dizzley,.....Appellant.

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**MOTION FOR SECOND EXTENSION WITH CONSENT**

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NOW COMES Appellant, Terron G. Dizzley, by and through undersigned counsel, and hereby moves for an extension of time to file and serve Appellant’s Initial Brief and Designation of Matter.

This extension is requested due to an abundance of caseload as well as Undersigned’s need to further consult with and counsel Mr. Dizzley on this matter.

Counsel for Respondent, Senior Assistant Deputy Attorney General Melody Brown, has graciously consented to this extension.

WHEREFORE Appellant respectfully requests this Honorable Court to issue an order extending the time to file and serve the Initial Brief and Designation of Matter by 30 days.

Respectfully Submitted,

By: s/ Lauren C. Hobbis, 103190

William G. Yarborough III, Attorney at Law, LLC  
308 West Stone Avenue  
Greenville, South Carolina 29609  
(864) 331-1612



**RECEIVED**

**Feb 17 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Georgetown County Court of General Sessions  
The Honorable Benjamin H. Culbertson, Circuit Court Judge

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Appellate Case No. 2022-000671

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State of South Carolina,.....Respondent.

v.

Terron G. Dizzley,.....Appellant.

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that the Motion for Extension of Time filed in the above-captioned case was served upon Senior Assistant Deputy Attorney General Melody Brown, by email to her AIS email address MBrown@scag.gov.

This day, the 17th day of February 2023.

Respectfully Submitted,

By s/ Lauren C. Hobbis, 103190



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**State v. Phillip Derrick 2022-001156**

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**Lauren Hobbis** <laurenwgylaw@gmail.com>

Fri, Feb 17, 2023 at 1:54 PM

To: William Blitch &lt;wblitch@scag.gov&gt;

Mr. Blitch,

I hope this email finds you well.

Please see the attached letter that I filed with the Court of Appeals a few moments ago.

Please let me know if you have any questions or concerns.

Thank you.

Sincerely,

Lauren Hobbis

**Lauren C. Hobbis, Associate Attorney**  
William G. Yarborough III, Attorney at Law, LLC  
308 West Stone Greenville, SC 29609  
(864)-331-1612 <https://www.wgylaw.com/>

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 **Derrick, Phillip Letter.pdf**

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WILLIAM G. YARBOROUGH III  
ATTORNEY AT LAW, LLC

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February 17, 2023

The Honorable Jenny Kitchings  
Clerk of Court, SC Court of Appeals  
Filed via Share point One Drive

**RECEIVED**

**Feb 17 2023**

**SC Court of Appeals**

Re: *The State v. Phillip F. Derrick*  
(App. Case No. 2022-001156)

Dear Ms. Kitchings,

This letter is to update that we have received the transcript and all exhibits that were ordered and previously temporarily misplaced by the Greenwood Sheriff's Office as per our Motion for Abeyance/Extension. I apologize for the misunderstanding with the Court's previous order and will be filing the brief and designation of matter here shortly.

Please do not hesitate to contact our office if you have any questions or require any additional information.

Thank you.

Sincerely,

s/ Lauren C. Hobbis

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Lauren C. Hobbis, SC Bar #103190

Cc: AAG M. William Blitch, Jr.  
wblitch@scag.gov