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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

The Honorable J. Cordell Maddox, Jr. Circuit Court Judge

RECEIVED

JUN 13 2013

SC Court of Appeals

Appellate Case No.: 2011-202049

Jonathan Coleman and Frances Coleman ..... Appellants,

v.

James Edward Singleton. .... Respondent.

PETITION TO REINSTATE APPEAL

The undersigned attorney, on behalf of the Appellants, petitions this Court to reinstate Appellant's appeal for good cause shown pursuant to the South Carolina Rules of Appellate Procedure, Rule 231(a).

As grounds for the reinstatement Appellant contends that Appellant's counsel never received a copy of the Court's Order April 5, 2013 or any other decision from the Court regarding Appellant's Petition to Recall Remittitur and Reinstate Appeal. The first and only notice received by the undersigned that the Court issued an Order on April 5, 2013 was when she

received the June 7, 2013 Order dismissing the appeal on June 10, 2013 and then reviewed the Court's file on this date to find the Order from April 5, 2013 (attached). In fact, the undersigned's office called the Court on Thursday, June 6, 2013, to check on the status of the prior motion.

Accordingly, Appellant respectfully requests that this Court reinstate Appellant's appeal for good cause shown. Further, Appellants respectfully request an extension of fifteen (15) days to file their initial brief.



Candy Kern-Fuller (SC Bar No. 11392)

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June 13, 2013

**Attorney for Appellant**

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**SC Court of Appeals**

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v.

James Edward Singleton, Respondent.

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## ORDER

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Appellants have filed a motion to recall the remittitur and reinstate this appeal. Because this court has not yet sent the remittitur, this court construes the motion as a petition to reinstate. After careful consideration of the parties' filings, Appellants' petition to reinstate is granted. Appellants shall serve and file the initial brief and designation of matter within fifteen days.


  
FOR THE COURT

Columbia, South Carolina

cc:

Laura Gaillard Simons  
Phillip E. Reeves  
Candy M. Kern-Fuller  
Richard A. Shirley

**FILED**

4/5/13 

**COPY**

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**PROOF OF SERVICE**

I certify that I have served the **Petition to Reinstate Appeal** on Respondent James Edward Singleton, by depositing a copy of it in an envelope via the United States Mail, Certified Mail, Return Receipt Requested, with proper postage affixed thereto, on June 13, 2013 addressed to his attorneys of record, Phillip E. Reeves, Esq., and Nicholas A. Farr, Esq., Gallivan White & Boyd, PA, P.O. Box 10589, Greenville, SC 29603.

  
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**ATTORNEY FOR APPELLANTS**

June 13, 2013.