



The South Carolina Court of Appeals

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January 24, 2013

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Re: Tobacco Merchant v. City of Columbia Zoning
Appellate Case No. 2012-212228
Case No. 2010-CP-32-01368

Dear Counsel:

Enclosed is a copy of an Order of the Court regarding your motion in the above case. The respondents' initial brief is due thirty (30) days from the date of this letter.

Very truly yours,

V. Claire Allen, Deputy

CLERK

The South Carolina Court of Appeals

Tobacco Merchant, Appellant,

v.

City of Columbia Zoning Administrator, Board of
Zoning Appeals and City of Columbia, Respondents.

Appellate Case No. 2012-212228

ORDER

This appeal was dismissed due to Appellant's failure to provide proof of timely ordering the transcript. Remittitur was sent down after no timely petition for rehearing was received. Appellant has now filed a motion to recall the remittitur, explaining that counsel for Appellant did not receive the order of dismissal because it was mailed to an incorrect address. Furthermore, Appellant provided proof the transcript was ordered. After careful consideration, the motion to recall the remittitur is granted and the appeal is reinstated.


FOR THE COURT

Columbia, South Carolina

FILED

1/24/13 AS

cc:

Darryl D. Smalls

Peter M Balthazor

Jeanette W. McBride