

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

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Appellate Case No. 2023-001881

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**RECEIVED**

MAR 08 2024

SC Court of Appeals

South Carolina Department of Corrections,

Respondent,

v.

Willie M. Knox, #153719,

Appellant.

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**APPELLANT'S MOTION TO REINSTATE APPEAL**

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Willie M. Knox  
#153719  
Allendale C.I. F1A-19  
1057 Revolutionary Trail  
Fairfax, SC 29827

APPELLANT, PRO SE

**Other Counsel of Record:**

Joseph R. Shakibanasab  
Office of General Counsel  
S.C. Department of Corrections

4444 Broad River Road / P.O. Box 21787  
Columbia, SC 29221-1787

APPELLANT'S MOTION TO REINSTATE APPEAL

This motion is before the Court pursuant to Rules 260(a) and 240, SCACR, to reinstate Appellant's appeal from the October 6, 2023 Final Order of the Administrative Law Court (Appendix pp. 1 - 22). The Court dismissed for timeliness in an Order dated February 23, 2024 (App. p. 23). Appellant would demonstrate good cause exists for this Court to reinstate the appeal.

On November 3, 2023, Appellant timely filed a Notice of Appeal and required documents pursuant to Rule 203, SCACR (App. pp. 24 - 27). This included service upon Counsel for Respondent SCDC and the Clerk for the Administrative Law Court. Appellant suggests that this Court may easily verify with the lower Court Clerk or Respondent's Counsel receipt of the November 3, 2023 Notice of Appeal package. Appellant believed the appeal was filed and submitted the following week a motion for leave to proceed in forma pauperis.

On December 15, 2023 the Clerk's office notified Appellant that no Notice of Appeal had been received (App. pp. 28 - 29).

On December 27, 2023 (due to institutional holiday shutdown) Appellant contacted the Clerk's office to insist a Notice of Appeal had been filed and requesting further clarification (App. pp. 30 - 31).

On January 4, 2024 the Clerk again notified Appellant no Notice of Appeal had been filed (App. 32 - 33).

On January 11, 2024 Appellant submitted a new Notice of Appeal package and served all parties required by Rule 203 (App. 34 - 37).

Between January 15 -30, 2024 the original Notice of Appeal was returned to Appellant at the Institution marked as "undeliverable." Appellant had the incorrect Post Office Box on the envelope. That envelope bears the original postmark date and the "Received" date upon return to the institution. Appellant sent that envelope to the Clerk of the Court of Appeals with a letter of explanation and apology.

Appellant believes that he has demonstrated good cause for this appeal to be reinstated.

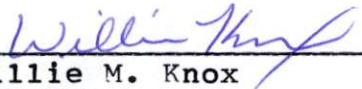
This Court has weighed the question of "good cause" in the context of calendaring in Jordan v. Hartford Financial Group, Inc., 435 S.C. 501, 868 S.E.2d 400 (Ct. App. 2021). Appellant recognizes an honest human mistake does not spring a trap door for good causer Appellant's wrong post office box number is not a missed date, but was a "blunder", an "honest, harmless human mistake".

CONCLUSION

Based upon the foregoing facts, Appendix and Affidavit, Appellant prays this Court apply the good cause standard, reinstate the appeal and remand so the appeal may proceed.

Respectfully submitted,

March 1, 2024  
Fairfax, SC

  
\_\_\_\_\_  
Willie M. Knox  
#153719  
Allendale C.I. F1A-19  
1057 Revolutionary Trail  
Fairfax, SC 29827

APPELLANT, Pro Se

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Appellant.

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PROOF OF SERVICE

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I certify that I have served APPELLANT'S MOTION TO REINSTATE APPEAL and supporting documents upon Counsel for Respondent, Joseph R. Shakibanasab, at S.C. Department of Corrections, P.O. Box 21787, 4444 Broad River Road, Columbia, SC 29221-1787, by depositing a copy in the U.S. Mail. postage prepaid, on March 6, 2024.

  
\_\_\_\_\_  
Willie M. Knox  
#153719  
Allendale C.I. F1A-19  
1057 Revolutionary Trail  
Fairfax, SC 29827

APPELLANT, PRO SE

Willie M. Knox  
#153719  
Allendale Corr. Inst. F1A-19  
1057 Revolutionary Trail  
Fairfax, S.C. 29472

March 4, 2024

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MAR 08 2024

SC Court of Appeals

Honorable Catherine S. Harrison  
Chief Deputy Clerk of Court  
S.C. Court of Appeals  
Post Office Box 11629  
Columbia, S.C. 29211

**Re:** Willie M. Knox, #153719 v. SCDC  
Appellate Case No. 2023-001881

Dear Ms. Harrison,

I am in receipt of the Court's February 23, 2024 Order of Dismissal.

Please find enclosed for filing the original and six (6) copies of the below pursuant to Rules 240 and 260, SCACR:

- 1) APPELLANT'S MOTION TO REINSTATE APPEAL,
- 2) AFFIDAVIT IN SUPPORT THEREOF, and
- 3) APPENDIX.

Also enclosed is a Certificate of Service on Counsel for Respondent.

Please advise if this pleading does not comply with court rules.

Sincerely,



Willie M. Knox  
Pro Se Appellant

Cc: Joseph Shakibanasab  
Counsel for Respondent SCDC

Willie M. Knox

# 153719

Allendale C.I. FIA-19

1057 Revolutionary Trail

Fairfax, SC 29827

Inner Sept.

**RECEIVED**

MAR 08 2024

SC Court of Appeals

Honorable Catherine Harrison  
Chief Deputy Clerk  
S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211