

THE SOUTH CAROLINA COURT OF APPEALS

JOSH JETER # 314407,

APPELLANT,

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENTS

CASE NO. 2013-001400

MOTION TO REINSTATE

APPEAL

I JOSH JETER # 314407 PRO SE APPELLANT COME BEFORE THIS HONORABLE COURT UNDER RULE 260 OF SCACR. APPELLANT WAS SERVED ORDER OF DISMISSAL FOR FAILING TO COMPLY WITH RULE 203 OF THE SCACR AND NOW APPELLANT IS MOVING THAT HIS APPEAL BE REINSTATED FOR THE FOREGOING REASON.

APPELLANT PRODUCES AN AFFIDAVIT FROM NANCY C. MERCHANT WHO IS THE POSTAL DIRECTOR HERE AT PERRY C.I. SHOWING THAT APPELLANT PUT FINANCIAL STATEMENT IN MAIL IN TIMELY FASHION BUT WAS POSTPONED BY THE FINANCIAL ACCOUNTING BRANCH CAUSING APPELLANT'S APPEAL DEADLINE TO EXPIRE, SAME AS WITH ORDER OF DISMISSAL FROM APPEAL. HERE AT PERRY C.I. COPIES ARE MADE ON CERTAIN DAYS FOR CERTAIN DORMS AND I TURNED ORDER OF DISMISSAL IN TO GET COPY BUT YOU HAVE TO WAIT UNTIL THE NEXT DAY TO PICK COPIES BACK UP WHICH CAUSED APPELLANT TO ALSO MISS DEADLINE

UNDER SCACR 260 DISMISSAL AND REINSTATEMENT PART (A) INVOLUNTARY DISMISSAL AND REINSTATEMENT STATES, WHENEVER IT APPEARS THAT AN APPELLANT OR AN PETITIONER HAS FAILED TO COMPLY WITH THE REQUIREMENTS OF THESE RULES, THE CLERK SHALL ISSUE AN ORDER OF DISMISSAL, WHICH SHALL HAVE THE SAME FORCE AND EFFECT AS AN ORDER OF THE APPELLATE COURT. A CASE SHALL NOT BE REINSTATED EXCEPT BY

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SC Court of Appeals

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LEAVE OF THE COURT, UPON GOOD CAUSE SHOWN, AFTER NOTICE TO ALL PARTIES THE CLERK SHALL REMIT THE CASE TO THE LOWER COURT OR ADMINISTRATIVE TRIBUNAL IN ACCORDANCE WITH RULE 221 UNLESS A MOTION TO REINSTATE THE APPEAL HAS BEEN ACTUALLY RECEIVED BY THE COURT WITHIN (15) DAYS OF FILING OF THE ORDER OF DISMISSAL (THE DAY OF FILING BEING EXCLUDED)

APPELLANT ASKS THAT APPEAL BE REINSTATED UPON GOOD CAUSE SHOWN AND WOULD LIKE TO PRODUCE THE FOLLOWING DOCUMENTS IF IT MAY PLEASE THE COURT.

1. FINANCIAL CERTIFICATE
2. ORDER OF DISMISSAL
3. PROOF OF SERVICE

RESPECTFULLY SUBMITTED,

Josh Jeter,

JOSH JETER # 314407

PERRY C.I. Q-3-A-117

430 BAKLAW RD.

PELZER S.C 29669

Financial Certificate for the District of South Carolina
and/or
Inmate Trust Fund Account Report for SC Court Filing Fees

This is to verify that a financial statement addressed to:

S C Department of Corrections
Financial Accounting Branch
P.O. Bolx 21787
Columbia, SC 29221

from:

Joshua Jeter #314407
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

was received in the Perry Correctional Mailroom on July 30, 2013. The form was logged in and sent out in the Inter Office mailbag to SC Department of Corrections Headquarters. The completed form was returned by the Financial Accounting Branch and received in the Perry Correctional Mailroom on August 7, 2013; and sent to Mr. Jeter on the same date.

N.C. Merchant
N.C. Merchant – Postal Director
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669
(864) 243-4700 Ext. 1127

August 16, 2013
Date

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SC Court of Appeals

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SEP 4 2013

~~SC Court of Appeals~~

QFB/21
Perry

FINANCIAL CERTIFICATE
FOR THE DISTRICT OF SOUTH CAROLINA
(for use in § 1983, *Bivens*, and non-habeas civil actions filed by prisoners)

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I have insufficient funds in my account that prohibit me from paying the full filing fee required by 28 U.S.C. § 1914 (currently \$350), I will send with my complaint an initial installment payment, required by 28 U.S.C. § 1915, equal to the amount calculated and entered on line four by the authorized officer signing this form.

I recognize that by filing this case, I am required to pay the full filing fee (or the remaining unpaid portion of the filing fee by installments if necessary) under 28 U.S.C. § 1915(b) even though I am requesting to proceed *in forma pauperis*. I authorize and consent to collection of the filing fee in accordance with 28 U.S.C. § 1915 until the filing fee is paid in full.

JOSH JETER INMATE NAME (PRINTED) 314407 INMATE (PRISONER) NUMBER

Josh Jeter INMATE SIGNATURE PERRY C.I. PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ 12.63
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period.\$ 99.81
- ◆ (3) Current Balance\$ 1.50
- ◆ (4) Initial Installment Payment (Take 20 percent of the greater of lines 1 or 2).....\$ 0

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

[Signature] Authorized Officer's Signature 8/5/13 Date

Joshua A. City Authorized Officer's Name and Title

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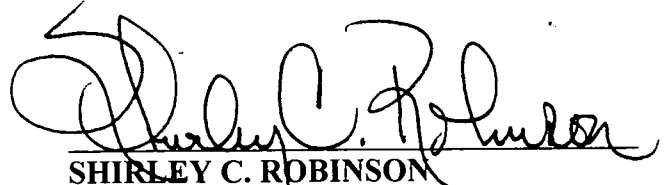
JUL 30 2013

P.C.I. MAILROOM

[Handwritten scribbles and marks]

AND IT IS SO ORDERED.

May 31st
4, 2013
Columbia, South Carolina


SHIRLEY C. ROBINSON
Administrative Law Judge

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the emergency Mail Service addressed to the party(ies) or their attorney(s).

This 31 day of may 2013

By: 
Judicial Clerk

PROOF OF SERVICE

I DO HEREBY CERTIFY THAT A COPY OF ALL THE FOREGOING DOCUMENTS WAS THIS 26TH DAY OF AUGUST 2013, SERVED UPON THE PERRY C.I. MAILROOM SUBMITTED TO THE FOLLOWING:

1. SOUTH CAROLINA COURT OF APPEALS
CLERK JENNY KITCHINGS
P.O. BOX 11629
COLUMBIA, S.C. 29211

2. ORDER OF DESMISSAL
3. MOTION TO REINSTATE
4. FINANCIAL CERTIFICATE
- ① PROOF OF SERVICE

SIGNATURE: _____

N.C. MERCHANT POSTAL DIRECTOR
US. CORNWELL DESIGNEE

Josh Jeter #314407

JOSE JETER

P.C.I. Q-3-A-117

430 OAKLAND RD.

PITZER S.C. 29669

PLEASE STAMP

RECEIVED
AUG 27 2013
P.C.I. MAILROOM