

MOTION TO REINSTATE APPEAL
THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEAL
APPEAL FROM CHARLESTON COUNTY
Master in Equity Court
Judge Mikell R. Scarborough Master-IN-Equity,

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JUN 02 2025

SC Court of Appeals

TDS of Charleston, LLC, Respondent

v.

Kenneth Edmondson, Appellant(s).

Appellate Case No: 2024-000756

MOTION TO REINSTATE AND RECONNCIDER APPEAL

To the Appeal Court, Respondent and/or his/her Attorney;

Please take notice that Kenneth Edmondson will respectfully move before the Presiding Judges of the South Carolina Court of Appeals the ____ day of May 2025 for a Motion to reinstate and reconsider appeal granting the following relief, which will last throughout the appeal process until a final Judgment in this matter:

1. To stay further proceedings through a temporary order, Stay on appeal, and or Injunction until Final Judgment;
2. Kenneth Edmondson received correspondence from the Appeal Court in April 2025 requesting that he make corrections to the captions and designation of matter. On April 11th court of Appeals received the corrected captions and designation of Matter.
3. Rule 56 Motion to enter into the record Uncontested Facts, and to Amend Brief Rule 240 are extremely relevant to the appeal because these issues were raised at the November 29th hearing Judge ignored and proceeded with an action in partition which is the reason for the appeal and these facts are mentioned in the initial brief; Mid-State Distributions, Inc. v. Century Importers, Inc., 310 S.C. 330, 334, 426 S.E.2d 777, 780

(1993) (citation omitted). The fate of Appellant's counterclaims has not been finally determined as long as his motion to amend hangs in the balance.

4. Order Dated June 1, 2021, is relevant because it is evidence of the Quiet Title action signed by Judge Mikell R. Scarborough Master-IN-Equity who at the November 29th hearing denied signing it, and you can see in the original transcripts this fact, the motion to Amend appeal and amendments were nearly finished when we received the following order of dismissal. The appeals court is well aware of my desire to produce such motion to amend after the corrections were made.
5. The appellant has substantially complied with the rule's requirements and No Prejudice to Respondent; an appeal should not be dismissed solely based on a technical violation of Rule 209, South Carolina, Rule 231(a), SCACR, provides a case which has been dismissed by the clerk for failure to comply with the rules may be reinstated upon leave of court "for good cause shown" after notice to all parties. See generally Wham v. Shearson Lehman Brothers, 298 S.C. 462, 381 S.E.2d 499 (Ct.App. 1989)

A dismissal of an appeal solely on technical grounds, meaning due to procedural errors or a failure to adhere to appellate rules, does not result in a final judgment on the merits of the case. A technical dismissal prevents the higher court from reaching a decision about the actual content of the lower court's ruling.

Technical dismissals don't resolve the underlying dispute:

- a. When an appeal is dismissed on technical grounds, the case is usually sent back to the lower court, or the original judgment remains in place, but the higher court has not made any substantive determination about the case's legal issues.
6. Appellant prays court reconsiders so that appeal can be heard by its merits, For Such other and further relief as this court may deem just and proper including granting the motion reinstate appeal.

Smith, Cox & Associates, LLP Attorney,
For respondent TDS of Charleston, LLC

160 East Bay Street, Suite 201

P.O. Box 20458

Phone 843- 853-5577

Charleston, SC 29413

May 27, 2025

KENNETH EDMONDSON,

Appellant(s)

Subscribed and sworn, without prejudice, and with all rights reserved.-

Kenneth Edmondson
Principal, by Special Appearance, in Propria Persona, proceeding Sui Juris.

Kenneth Edmondson
Signature of Affiant

ACKNOWLEDGMENT

State of South Carolina

county of Charleston

On this 27 day of May, 2025, before me

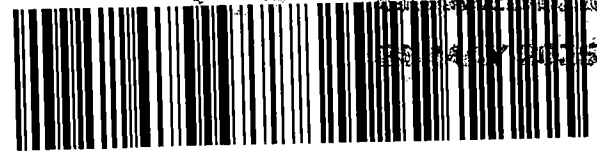
Personally appeared Kenneth Edmondson, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed, for the purposes therein set forth.

Stacey R. Major
(Notary Public)



Kenneth Edmondson
337 Huntsman Dr.
Goose Creek SC
29445

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SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia SC 29211

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