

**FORM 7
PROOF OF SERVICE**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case Nos. 2011-CP-04-03728, 2011-Cv-04-10102020

Galina S. Mitioglo,

Appellant,

v.

William F. Voyles,

Respondent.

MOTION TO REINSTATE APPEAL

Appellant respectfully moves to reinstate this appeal, which was dismissed on October 18, 2013, for failure to file the Record on Appeal. Appellant had previously forwarded its Record on Appeal with this Honorable Court and Counsel in this matter, along with a proof of service of th same when it filed the Designation of Matter. However, the contents of the record on Appeal was returned to Appellant as under Rule 209 of the South Carolina Appellate Court Rules, appellant need only identify the documents she desired to include in the record on appeal in her designation of matter.

Appellant seeks reinstatement of this appeal and submits its Final Brief with the Record on Appeal, which includes what Respondent designated to be included in the record on appeal.

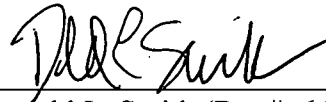
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SC Court of Appeals

along with this motion and Proof of Service regarding same. Importantly, Respondent's counsel has been served with Appellant's Designation of Matter and its Record on Appeal, albeit early. Accordingly, Respondent has not suffered any prejudice from appellant's early filing of the record and failure to file it subsequently. Further, counsel on both sides has submitted briefs in this matter. Appellant comes now with the Record on Appeal and Final Brief under Rules 210(b) and 211, asking for reinstatement of the appeal. Appellant regrets her error in failing to file the Record on Appeal and prays that the Honorable Court will reinstate the appeal in the interest of justice.

October 30, 2013



Donald L. Smith (Bar #: 6699)
Attorney for Appellant
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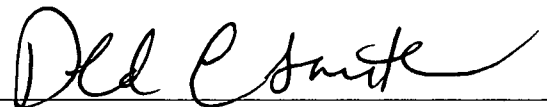
William F. Voyles,

Respondent.

PROOF OF SERVICE

I certify that I have served the Motion to Reinstate in the above-referenced matter case on respondent, by depositing a copy of it in the United States Mail, postage prepaid, on November 1, 2013, addressed to his attorney of record, Wilson S. Sheldon, 200 E. Broad St. #250 Greenville, South Carolina 29601.

November 1, 2013



Donald L. Smith (SC Bar # 6699)
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SC Court of Appeals

FORM 8
LETTER TO THE APPELLATE COURT CLERK

November 1, 2013

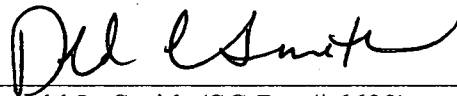
The Honorable Tanya A. Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Galina S. Mitioglo v. William F. Voyles, Case Nos. 2011-CP-04-03728,
2011-CV-04-10102020

Dear Ms. Gee:

Enclosed, please find the Motion to Reinstate in the above-referenced matter, as well as a proof of service regarding same.

Sincerely,



Donald L. Smith (SC Bar # 6699)
Attorney for Appellant
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cc: Wilson S. Sheldon, Esquire
200 E. Broad St., #250
Greenville, SC 29601
Attorney for Respondent

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