

Original

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

170519

APPEAL FROM ABBEVILLE COUNTY
Court of Common Pleas

Frank R. Addy, Jr. Circuit Court Judge

Case No. 2011-CP-01-009

Robert Jay Lagroon.....Appellant

V.

Heather Hite Stone.....Respondent

MOTION TO REINSTATE APPEAL

RECEIVED

NOV 27 2013

SC Court of Appeals

THE APPELLATE IN the above captioned matter respectfully requests the Honorable Court **REINSTATE** his appeal under SCACR 231.

The above appeal was dismissed by this Court on November 14,2013. (Exhibit 1)

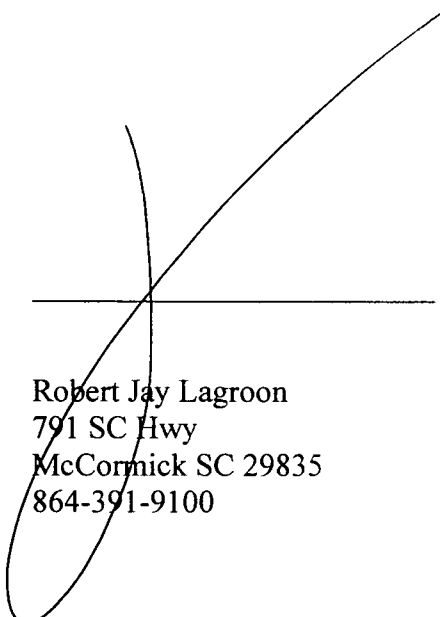
The information requested by the Court was received by this Court on September 25, 2013 and November 14,2013. (Exhibits 2 and 3).

The Court will please note that November 14,2013 is date the Order of Dismissal was signed and the date the Honorable Court received the proof it had requested.

The Appellate has not received any reasons from the Court Reporters as to why the transcripts have not been prepared even though the Appellate has provided proof that the Court Reporters have been paid in advance on two separate occasions.

The Appellate prays this Honorable Court finds that good cause exists to **Grant** this Motion to Reinstate this Appeal.

Respectfully Submitted,



Robert Jay Lagroon
791 SC Hwy
McCormick SC 29835
864-391-9100

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Case No. 2011-CP-01-009

Robert Jay Lagroon.....Appellant

V.

Heather Hite Stone.....Respondent

CERTIFICATE OF SERVICE

I certify that, on this date, I served a copy of the Motion to Reinstate Appeal in this action, dated November 22, 2013, on counsel of record by mailing the Notice to them to their addresses as so stated below by depositing it in the U.S. Mail, First Class in an envelope with the sufficient postage affixed.

Respectfully Submitted,

Robert Jay Lagroon
791 SC Hwy
McCormick SC 29835
706-990-7304

Counsel of Record
Scarlet B. Moore
PO Box 17615
Greenville SC 29606

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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CERTIFICATE OF SERVICE

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Respectfully Submitted,

Robert Jay Lagroon
791 SC Hwy
McCormick SC 29835
706-990-7304

South Carolina Court Administration
Calhoun Building
1015 Sumter St
Suite 201
Columbia SC 29201

Ex 1

The South Carolina Court of Appeals

Robert Jay Lagroon, Appellant,

v.

Heather Hite Stone, Respondent.

Appellate Case No. 2012-206746

ORDER

On September 12, 2013, this Court required Appellant to provide proof within ten days that the transcripts had been ordered from the correct court reporters. This Court warned that the failure to provide sufficient proof would result in the dismissal of this appeal. This Court has received several letters from the court reporters indicating that the court reporters had still not been paid for the preparation of the transcripts and, accordingly, had not completed the transcript production. Rule 207 of the South Carolina Appellate Court Rules provides that Appellant "make satisfactory arrangements (including agreement regarding payment for the transcript)" within the time provided for ordering the transcript. Because Appellant has failed to make satisfactory arrangements, this appeal is dismissed.



FOR THE COURT

Columbia, South Carolina

cc:

Robert Jay Lagroon

Scarlet Bell Moore, Esquire

Thomas E. Hite, Jr., Esquire

FILED

11/14/13

Ex 2

Ms. Jo Rice,

September 18, 2013

Court reporter for the Eight Judicial Circuit

401 Ward Street,

Abbeville SC 29620

Ms. Sharon Vizer-Hanks

Court reporter for the Eight Judicial Circuit

PO Box 1413

Johns Island, SC 29457

Re: Second Request of Official Transcript in Case No 2011-CP-01-009

Dates of Orders are June 3, 2011 and December 2, 2011.

Please be informed I am requesting the Official court transcripts in Case No. 2011-CP-01-009. I agree to pay your usual and customary fee under the South Carolina Rules of Civil Procedure.

Thank you in advance for your cooperation

R. Jay Lagroon

791 Hwy 7

McCormick SC 29835

706-990-7304

RECEIVED
SEP 25 2013
SC Court of Appeals

Ex 3

Ms. Jo Rice,

October 23, 2013

Court reporter for the Eight Judicial Circuit

401 Ward Street,

Abbeville SC 29620

Ms. Sharon Vizer-Hanks

Court reporter for the Eight Judicial Circuit

PO Box 1413

Johns Island, SC 29457

RECEIVED

NOV 14 2013

SC Court of Appeals

Re: Prepayment for Official Transcripts in Case No 2011-CP-01-009

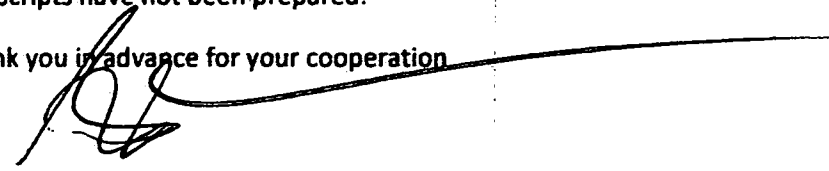
Dates of Orders are June 3, 2011 and December 2, 2011

Ms. Rice and Ms. Vizer-Hanks:

Please find enclosed the second check for the funds you requested for the transcript in this matter.

Attached please find copies of the carbon copies of the checks that were mailed to you on March 10, 2012. It seems odd that you admit receiving the request but have failed to prepare the transcript of record in this matter. Please review your records and kindly comment in writing as to why the transcripts have not been prepared.

Thank you in advance for your cooperation


R. Jay Lagroon

791 Hwy 7

McCormick SC 29835

864-391-9100

KELLI BARNETT
791 SC HWY 7
MCCORMICK SC 29835

1088
64-781/511
817

oct 23, 13
DATE

PAY TO THE ORDER OF Sharon Vizer

\$ 98.00

Ninety eight 00/100

DOLLARS

First Citizens
First Citizens Bank & Trust Company, Inc.

FOR car repair

K Barnett

⑆06⑆⑆078⑆⑆⑆800⑆⑆494⑆⑆0309⑆⑆ 0⑆088

KELLI BARNETT
791 SC HWY 7
MCCORMICK SC 29835

1087
64-781/511
817

oct 23, 13
DATE

PAY TO THE ORDER OF Mrs. Jae Rice

\$ 45.00

Forty five 00/100

DOLLARS

First Citizens
First Citizens Bank & Trust Company, Inc.

FOR car repair

K Barnett

⑆06⑆⑆078⑆⑆⑆800⑆⑆494⑆⑆0309⑆⑆ 0⑆087

STORE YOUR DUPLICATE CHECKS IN YOUR CHECK BOX.

Track your expenses...

- Clothing Food Transportation
 Credit Card Utilities Mortgage
 Entertainment Insurance Other:

TAX-DEDUCTIBLE ITEM

522

March 10 2012

Joe Rice
Forty Five Dollars ⁵⁰/₁₀₀

BALANCE FORWARD	
THIS ITEM	45 ⁵⁰
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

Transcript Fee



For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

STORE YOUR DUPLICATE CHECKS IN YOUR CHECK BOX.

Track your expenses...

- Clothing Food Transportation
 Credit Card Utilities Mortgage
 Entertainment Insurance Other:

TAX-DEDUCTIBLE ITEM

521

March 10 2012

Sharon Vizer Hanks
Ninty eight dollars ⁰⁰/₁₀₀

BALANCE FORWARD	
THIS ITEM	98 ⁰⁰
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

Transcript Fee



For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE