

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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ORIGINAL JURISDICTION OF THE COURT OF APPEALS DEC 06 2013

SC Court of Appeals

Appellate Case # 2013-002145

Indictment Nos.: 2013-GS-40-04051 and 04052

STATE OF SOUTH CAROLINA, ..... Respondent.

v.

RYAN BRADFORD KIRBY .....Appellant.

**APPELLANT'S MOTION FOR REINSTATEMENT**

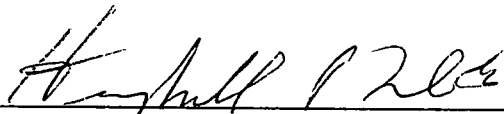
COMES now Appellant, by and through his undersigned counsel, and moves this Court for an Order to reinstate the above-captioned case on the following grounds:

1. The Order of this Court, filed December 4, 2013, denying Appellant's Petition for Rehearing preempted the Appellant's right to file a Reply as set forth in South Carolina Appellate Court Rule 240(f).

2. The Respondent filed its Response On December 2, 2013, the envelope in which the Response was mailed is postmarked December 4, 2013; and, the Response was received by the undersigned counsel for Appellant on December 5, 2013. [Copy of envelope attached as Exhibit A.]

3. The Reply, which the undersigned intends to file on behalf of Appellant, is being prepared and will be filed timely.

WHEREFORE, Appellant request this Court to rescind and/or modify its Order of December 4, 2013 to allow an opportunity for his Reply to be timely filed.

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ATTORNEYS FOR APPELLANT

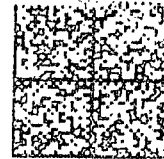
December 6, 2013



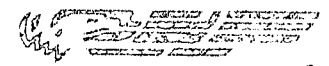
The State of South Carolina

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