

The South Carolina Court of Appeals

The Estate of Gordon W. Bridwell, Jr. by Raymond
Eddie Bridwell, Personal Representative, Respondent,

v.

Life and Hope Assembly of God, Mary Ellen Harris, and
John Doe, Representing, unknown persons claiming to
Life and Hope Assembly of God, Appellants.

Appellate Case No. 2012-205726

ORDER

Candy Kern-Fuller, counsel for the Appellants, filed a motion to recall the remittitur along with a motion to reinstate the appeal, averring that she did not receive notice of the dismissal of the appeal. Although the motion to recall remittitur is the first notice of appearance actually received by the Court from Ms. Kern-Fuller in this case, Ms. Kern-Fuller claims in her motion that she mailed her initial brief and designation of matter on September 30, 2013, prior to the dismissal of the appeal for failure to serve and file the same. Accordingly, under the special circumstances existing here, the motion to recall remittitur is granted.

Ms. Kern-Fuller is directed to provide the Court with a copy of the appellants' initial brief and designation of matter within ten days of the date of this order. The appellants' initial brief and designation of matter must be actually received by the Court within ten days. At the expiration of ten days, the Court will consider the motion to reinstate the appeal.

The Court's remittitur was sent to the Clerk of Greenville County on October 29, 2013. It is now necessary for this Court to recall the remittitur. The Clerk of Greenville County is, therefore, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten days of the date of this order.

 , C.J.
FOR THE COURT

Columbia, South Carolina

cc:

Candy Kern-Fuller, Esquire

George Eugene Lafaye, IV, Esquire

The Honorable Paul B. Wickensimer

The Honorable Robin B. Stilwell

FILED

1/15/14 AT