

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Aug 11 2026

SC Court of Appeals

Reggie Jones,

Appellant,

v.

Enid A. Garcia,

Respondent.

Appellate Case No. 2026-000716

**APPELLANT'S REPLY TO RESPONDENT'S RETURN TO MOTION/PETITION FOR HEARING
TO REINSTATE**

Appellant Reggie Jones, proceeding pro se, respectfully submits this Reply to Respondent's Return opposing Appellant's Motion/Petition for Hearing to Reinstate the above-captioned appeal.

Appellant respectfully asks this Court to consider the complete circumstances surrounding the procedural default, the prompt filing of Appellant's Motion to Reinstate, and the good-faith circumstances that prevented Appellant from timely completing the initial briefing requirements.

I. APPELLANT'S MOTION TO REINSTATE WAS TIMELY RECEIVED BY THE COURT

Respondent correctly identifies July 29, 2026, as the date of the Clerk's Order of Dismissal.

However, Rule 260(a), SCACR expressly provides a procedure for seeking reinstatement of an appeal after dismissal for failure to comply with the appellate rules. The Rule provides that a case may be reinstated by leave of the Court upon good cause shown. It further provides that the Clerk shall remit the case unless a motion to reinstate is actually received by the Court within fifteen (15) days after filing of the order of dismissal, with the day of filing excluded.

In this case, Appellant's Motion/Petition for Hearing to Reinstate was actually received by the Court on August 3, 2026, only five days after the July 29, 2026 dismissal order.

Appellant therefore timely invoked the reinstatement procedure expressly provided by Rule 260(a), SCACR.

Appellant does not deny that the initial briefing and designation requirements were not completed by the original deadline. Rather, Appellant respectfully asks the Court to consider whether the circumstances surrounding that failure constitute good cause for reinstatement, as contemplated by Rule 260(a).

Appellant acted promptly after becoming aware of the dismissal and sought reinstatement rather than allowing the matter to proceed without requesting relief.

II. APPELLANT IS NOT ASKING THE COURT TO DISREGARD ITS APPELLATE RULES

Respondent's Return repeatedly characterizes Appellant's request as an attempt to avoid responsibility for complying with the appellate rules.

That is not Appellant's position.

Appellant recognizes the importance of complying with the South Carolina Appellate Court Rules. Appellant is not asking this Court to excuse the rules permanently or to permit him to proceed without complying with the requirements for prosecuting an appeal.

Instead, Appellant is asking the Court to exercise the reinstatement procedure specifically provided by Rule 260(a) after a dismissal has occurred.

If reinstatement is granted, Appellant is prepared to comply with the Court's requirements, including filing the required Designation of Matter and Initial Brief within whatever time the Court directs.

III. APPELLANT'S NEED FOR ASSISTANCE IS RELEVANT TO THE GOOD-CAUSE ANALYSIS

Respondent characterizes Appellant's reliance upon his medical history and assistance from another person as an attempt to obtain sympathy.

Appellant respectfully disagrees with that characterization.

Appellant is not asking this Court for sympathy. He is asking the Court to consider the actual circumstances that contributed to the procedural default.

Appellant is a stroke survivor and requires assistance with certain matters, including understanding and responding to legal and procedural correspondence.

Appellant has a Power of Attorney arrangement with the person who assists him. Appellant's reliance upon that assistance was not an attempt to appoint an unlicensed attorney or to authorize the practice of law.

The person assisting Appellant is not being presented to this Court as an attorney of record.

Rather, the circumstances surrounding Appellant's need for assistance explain why Appellant was unable to timely address the Court's correspondence and procedural requirements without that assistance.

At the relevant time, the person who ordinarily assisted Appellant was out of town. Appellant received the Court's correspondence during that period and was therefore unable to obtain the assistance upon which he ordinarily relies.

The resulting failure to complete the briefing requirements was not intentional, was not an attempt to disregard this Court's authority, and was not undertaken for purposes of delaying the proceedings.

IV. RESPONDENT'S POWER-OF-ATTORNEY ARGUMENT DOES NOT RESOLVE THE QUESTION PRESENTED

Respondent argues that a Power of Attorney cannot authorize a non-attorney to practice law.

Appellant does not contend otherwise.

Appellant is not asking this Court to hold that a Power of Attorney permits a non-attorney to practice law or to represent another person as an attorney.

The Power of Attorney is relevant only to explain the assistance arrangement that existed and the circumstances surrounding Appellant's inability to timely respond to the Court's requirements.

Respondent's argument therefore addresses an issue that Appellant is not asking this Court to decide.

The question presented by Appellant's Motion is whether, considering all of the circumstances, there is good cause for reinstatement under Rule 260(a).

Appellant respectfully submits that the Court should evaluate the circumstances for that purpose rather than characterize the assistance he received as an attempt to practice law without a license.

V. APPELLANT'S MEDICAL HISTORY IS NOT BEING OFFERED AS A STAND-ALONE EXCUSE

Respondent argues that Appellant's stroke occurred approximately seven years ago and therefore cannot explain the present procedural default.

Appellant respectfully submits that this argument considers the medical event in isolation rather than considering the circumstances as a whole.

Appellant is not asserting that the occurrence of a stroke in 2019, standing alone, automatically excuses a procedural deadline in 2026.

The relevant circumstances include:

Appellant is a stroke survivor who requires assistance with certain matters;

Appellant has an established arrangement for receiving that assistance;

The person who ordinarily assists Appellant was out of town when the relevant correspondence was received;

Appellant consequently did not have the assistance he ordinarily relies upon in responding to procedural requirements;

The failure to comply was not intentional;

Appellant sought reinstatement promptly after the dismissal; and

The Court actually received Appellant's Motion to Reinstate on August 3, 2026, only five days after the July 29 dismissal.

These circumstances should be considered together when determining whether good cause exists.

VI. APPELLANT'S PRO SE STATUS DOES NOT ELIMINATE THE COURT'S AUTHORITY TO CONSIDER REINSTATEMENT

Appellant understands Respondent's argument that a pro se litigant must comply with applicable procedural requirements.

Appellant does not ask for a lesser standard merely because he is proceeding without counsel.

However, the existence of a procedural default is precisely why Rule 260(a) provides a mechanism for seeking reinstatement upon a showing of good cause.

Rule 208(a)(4), SCACR provides for dismissal when an appellant fails to file and serve the initial brief within the prescribed time, but the rule expressly states that reinstatement is governed by Rule 260.

Accordingly, Appellant respectfully asks the Court to consider the good-cause circumstances under the reinstatement procedure established by the Rules rather than treating the initial default as automatically eliminating the possibility of relief.

VII. APPELLANT IS PREPARED TO COMPLY WITH THE BRIEFING REQUIREMENTS

Respondent argues that Appellant's Motion confirms that he remains unprepared to proceed.

Appellant respectfully submits that this is not a reason to deny reinstatement.

Appellant requested reinstatement precisely so that he could complete the requirements necessary to proceed with his appeal.

Appellant is prepared to file the required Designation of Matter and Initial Brief within a reasonable period established by this Court.

Appellant is not asking to proceed indefinitely without complying with the Rules. He is asking for the opportunity to comply with them.

If the Court grants reinstatement, Appellant respectfully requests that the Court establish a specific deadline by which the Designation of Matter and Initial Brief must be filed.

VIII. THE RESPONDENT'S UNAUTHORIZED-SIGNATURE OBJECTION

Respondent's Return also asks the Court to strike or disregard the electronic signature block that appeared on Appellant's filing.

Appellant respectfully states that the appearance of Respondent's counsel's electronic signature on Appellant's filing was not intended to represent that Respondent's counsel authorized, endorsed, consented to, or joined in Appellant's Motion.

To the extent that the signature block was inadvertently included on Appellant's filing, Appellant respectfully requests that the Court simply disregard the signature block and consider the Motion and this Reply based upon their substance.

Appellant does not seek to attribute any statement, position, or consent to Respondent's counsel.

IX. REINSTATEMENT WOULD ALLOW THE MATTER TO PROCEED ON ITS MERITS WITHOUT PREJUDICE TO RESPONDENT

Appellant respectfully submits that reinstatement would not deprive Respondent of any procedural protection.

Respondent would continue to have the opportunity to respond to Appellant's filings in accordance with the South Carolina Appellate Court Rules.

Appellant is not asking this Court to decide the merits of the underlying appeal through this Motion.

Appellant is asking only that the appeal be reinstated so that he may comply with the appellate requirements and allow the matter to proceed in accordance with the Rules.

CONCLUSION

For the foregoing reasons, Appellant Reggie Jones respectfully requests that this Honorable Court:

DENY Respondent's request to deny reinstatement;

DISREGARD, rather than treat as substantive, any inadvertently included electronic signature of Respondent's counsel on Appellant's filing;

Recognize that Appellant's Motion/Petition for Hearing to Reinstate was actually received by the Court on August 3, 2026, within the fifteen-day period contemplated by Rule 260(a), SCACR;

Consider the circumstances described above in determining whether good cause exists for reinstatement;

REINSTATE Appellate Case No. 2026-000716;

Allow Appellant to proceed with the appeal; and

Establish a reasonable deadline for Appellant to file the required Designation of Matter and Initial Brief.

Respectfully submitted,

Reggie Jones

Appellant, Pro Se

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Date: August 11, 2026

Reggie Jones 8/11/26

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellant's Reply to Respondent's Return to Motion/Petition for Hearing to Reinstate upon counsel for Respondent by personal service.

served upon:

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