

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

Case No. 2012-ES-46-02008

EILEEN CRITCHER, Appellant,

vs.

SUSAN CRITCHER RHODES,
individually and as Personal Representative
of the Estate of Roy G. Critcher,
WANDA C. AKERS and
BELINDA CRITCHER THOMAS, Respondents.

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SC Court of Appeals

MOTION TO REINSTATE APPEAL
AND TO FILE OUTSIDE TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by her counsel herein, moves this Court for an order reinstating the Appeal and allowing her to file the Record on Appeal outside time, on the grounds stated below:

1. Under Rule 210, S.C.A.C.R., the Record on Appeal herein was due thirty (30) days after receipt of the last Initial Brief. The last Initial Brief, that of the Respondent, was served by mailing of February 19th, 2014.
2. By inadvertence, the deadline for the filing of the Record on Appeal was entered incorrectly in the logs of Counsel for Appellant and the deadline was overlooked.
3. By Order of this Court dated April 23, 2014 and received April 25, 2014, the Court dismissed this Appeal by reason of the failure to file the Record on Appeal.
4. The Record on Appeal has now been completed and is submitted, together with this Motion to reinstate the Appeal and to file outside time.

5. On knowledge and information, no prejudice to the Respondent will be worked by the relief requested in this Motion.

The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court for an order reinstating the Appeal and allowing her to file the Record on Appeal outside time, pursuant to Rule 240 and 263(b), S.C.A.C.R.

May 2, 2014

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May 2, 2014

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Eileen Critcher, Appellant,
v. Susan Critcher Rhodes,
Wanda C. Akers, and
Belinda Critcher Thomas, Respondents.

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Case No. 2012-CP-46-02008

Dear Ms. Kitchings:

In accordance with Rules 210, 240 and 263(a), S.C.A.C.R., enclosed herewith please find:

'the original and fifteen (15) copies of the Record on Appeal, together with Certificate of Service of the same; and

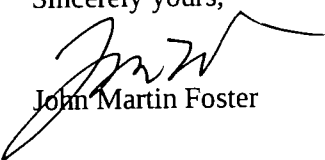
the original and seven (7) copies of the Appellant's Motion to Reinstate Appeal and for Extension of Time to serve and file the Record on Appeal, together with Certificate of Service for the same in the above referenced case.

I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondents with copies of the Record on Appeal and the said Motion, as evidenced by the Certificates of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,


John Martin Foster

jmf/
enclosures
cc: Client File

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