

STATE OF SOUTH CAROLINA
In The Court of Appeals

M2376

S. Jackson Kimball, Special Circuit Court Judge

RECEIVED

Case No. 2012-CP-20-03040

SC COURT

DEUTSCHE BANK NATIONAL TRUST COMPANY
as Trustee for J.P. Morgan Mortgage Acquisition Trust
2007-CH1, Asset Backed Pass Through Certificates,
Series 2007-CH1, Respondent,

vs.

CORA B. WILKS,
DAVID C. WILKS,
CHASE BANK, N.A., and
MIDLAND FUNDING, LLC,

of whom
CORA B. WILKS and
DAVID C. WILKS are Appellants.

MOTION TO REINSTATE APPEAL

Pursuant to Rules 240, 263(b) and 210, S.C.A.C.R., the Appellants, by their counsel herein, this Court to reinstate the above appeal and for an order allowing them to file their Record on Appeal outside time, on the grounds stated below:

1. The Motion of the Respondent to Dismiss properly recited the filing of all Initial Briefs herein and a deadline for the later, required filing of the Record on Appeal. By the Rules of this Court, the Appellants bear the responsibility to prepare and file the Record on Appeal.
2. Counsel for the Appellants acknowledges that the deadline for preparation and filing the Record on Appeal was missed. He has no adequate excuse for this oversight, other than inadvertence.
3. On May 21st, 2014, the Record on Appeal was proffered for filing with a Return to the Respondent's Motion to Dismiss and with a Motion to be allowed to file outside time. This

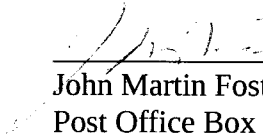
Motion and the Record on Appeal were served on opposing counsel by mail, on that date.

4. By Order dated May 23rd, 2014 and received May 27th, 2014, the Court issued its Order dismissing the appeal. As of this date, and to Appellant's knowledge, their earlier Motion has not been ruled on.
5. On knowledge and information, no prejudice will be worked to the Respondent by a restoration of the appeal, nor by allowing this filing outside time, nor will the business of this Court be delayed.
6. On the basis of the above, counsel for Appellant moves to reinstate the appeal and prays to be allowed to file the Record on Appeal outside time.

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 Appellants, by their counsel herein, move to reinstate the Appeal and move this Court for an order allowing them to file their Record on Appeal outside time, pursuant to Rules 240, 263(b) and 210, S.C.A.C.R.

February 3, 2012



John Martin Foster
Post Office Box 106
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803 324-8100
Attorney for Appellants

Other Counsel of Record:

Michael J. Anzelmo
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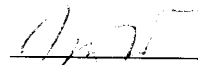
PROOF OF SERVICE

I certify that I have served the Motion to Reinstate Appeal dated June 2, 2014, on the following counsel or persons of record:

Michael J. Anzelmo
Benjamin Rush Smith, III
Nelson Mullins Riley & Scarborough, LLP
Attorneys for Deutsche Bank
Post Office Box 11070
Columbia, S.C. 29211

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262, S.C.A.C.R.

June 2, 2014



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Appellants

JOHN MARTIN FOSTER

Attorney at law

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Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

June 2, 2014

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

Re: Deutsche Bank National Trust Company, Respondent
v. Cora B. Wilks and David C. Wilks, Appellants
Docket No. 12-CP-46-03040

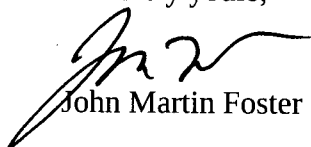
Dear Ms. Kitchings:

In accordance with Rules 210, 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellants' Motion to Reinstate Appeal, together with our 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 Respondent with copies of the said Motion, as evidenced by the Certificate 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.

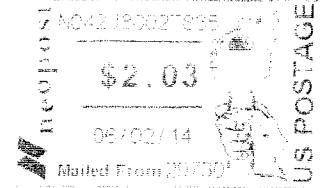
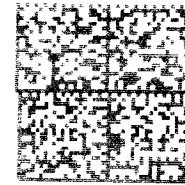
Sincerely yours,



John Martin Foster

jmf/
enclosures
cc: Client File

Michael J. Anzelmo
Benjamin Rush Smith, III
Nelson Mullins Riley & Scarborough, LLP
Attorneys for Deutsche Bank
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803 255-9312



US POSTAGE

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SC COURT OF APPEALS

John Martin Foster Attorney

223 East Main St Suite 520
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Rock Hill SC 29731-6106

TO:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
1015 SUMTER STREET
POST OFFICE BOX 11629
COLUMBIA, SC 29211

