

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

ROBIN B. STILLWEL, Circuit Court Judge

---

Appellate Case # 2012-205726

---

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

Respondent, AUG 13 2014

v.

**RECEIVED**

**SC Court of Appeals**

Life and Hope Assembly of God, Mary  
Ellen Harris, and John Doe, Representing  
Unknown persons claiming to [sic] Life and  
Hope Assembly of God,

---

Appellants

RETURN TO PETITION TO REINSTATE APPEAL

---

The Respondent objects to the Appellants' Petition to Reinstate Appeal and Recall Remittitur dated August 1, 2014. This case was dismissed on June 17, 2014 for failure to file the proof of service of the Record on Appeal. This dismissal is the latest in a long line of dismissals related of the Appellants' appeal.

**Argument**

Respondent reiterates the argument that he has previously made that the South Carolina Court of Appeals lost jurisdiction over this case upon the sending of Remittitur on October 29, 2013. Once "remittitur has been properly sent, the appellate court no longer has jurisdiction over the matter and no motion can be heard thereafter." *Wise v. South Carolina Dept. Corrections*, 372 S.C. 173, 174, 642 S.E.2d 551 (2007). "The only

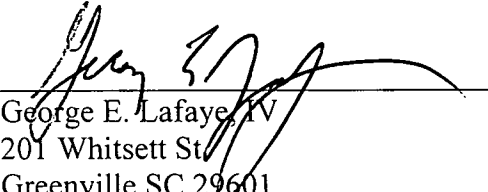
exception to this rule is when remittitur is sent down by mistake, error or inadvertence of the Court.” *Wise*, at S.C. 174.

There are no allegations in the Petition that the Court made a mistake, error or inadvertently sent the remittitur. If there is error here, it belongs to the Postal Service for not delivering the mail, or, most appropriately, to the Appellants for not responding promptly to the October 11 Order or the October 29 Remittitur. The Appellants could have easily taken advantage of the lag between these two events to raise the issue of the lost brief. Therefore the Court does not have jurisdiction to entertain this Petition.

The Court also sent a letter to the Appellants on June 3, 2013 alerting them that, because “of the age of this case, no extensions will granted absent extraordinary circumstances.” Since the Appellants have failed to show such extraordinary circumstances, the Court should deny the Petition to Reinstate.

Respectfully Submitted,

August 11, 2014

  
George E. Lafaye, IV  
201 Whitsett St.  
Greenville SC 29601  
864-241-3001  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

ROBIN B. STILLWEL, Circuit Court Judge

Appellate Case No. 2012-205726

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 [sic] Life and  
Hope Assembly of God, Appellants

**RECEIVED**

AUG 13 2014

**SC Court of Appeals**

**PROOF OF SERVICE**

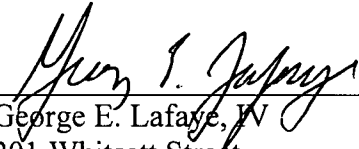
I CERTIFY THAT I HAVE SERVED THE Return to the Petition to Reinstate Appeal on Mary Ellen Harris, Appellant, and Candy Kern-Fuller, Attorney for Appellant, by depositing a copy of it in the United States Mail, 1<sup>st</sup> class, postage prepaid, on August 11, 2014, addressed as follows:

Candy Kern-Fuller  
Attorney for Appellant  
Upstate Law Group,  
200 East Main Street  
Easley, South Carolina 29640.

and

Mary Ellen Harris  
P.O. Box 26431  
Greenville, SC 29616

August 11, 2014

  
George E. Lafage, IV  
201 Whitsett Street  
Greenville, South Carolina 29601  
(864) 241-3001  
Attorney for Respondent

**GEORGE E. LAFAYE, IV**  
ATTORNEY-AT-LAW  
201 WHITSETT STREET  
GREENVILLE, SC 29601

TELEPHONE: 864-241-3001  
FAX: 864-241-3040  
E-MAIL: GELIVLAW@GMAIL.COM

August 11, 2014

The Hon. Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia SC 29211


**Re: Estate of Gordon W. Bridwell, Jr. v. Life and Hope Assembly of God**  
**Civil Action No.: 2010-CP-23-02382**  
**Tracking No.: 2012-205726**

Dear Ms. Kitchings:

Enclosed you will find the original and two (2) copies of the Return to Petition to Reinstatement Appeal and Proof of Service for same on behalf of the Respondent in the above-named case. Please return the copies to my office in the envelope provided.

If you should have any questions or concerns regarding this information, please do not hesitate to let me know.

Very Truly Yours,

  
George E. Lafaye, IV

GEL, IV/plm

Enclosures

cc: Candy Kern-Fuller  
Mary Ellen Harris, Appellant

**RECEIVED**  
AUG 13 2014  
SC Court of Appeals

George E. Lafaye, IV  
Attorney at Law  
201 Whitsett Street  
Greenville, SC 29601



The Hon. Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia SC 29211

**RECEIVED**  
AUG 13 2014  
SC Court of Appeals