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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM Horry COUNTY
COURT OF GENERAL SESSIONS
Edward Cottingham, Circuit Court Judge

Case No. 2012-GS-26-00859

RECEIVED

OCT 28 2014

SC Court of Appeals

State of South Carolina, Respondent,
v.
Rickey Mazique, Appellant.

MOTION TO REINSTATE APPEAL
AND ACCEPT AMENDED INITIAL BRIEF AND DESIGNATION OF MATTER

Appellant hereby moves the Court to Reinstate the Appeal and to accept the Amended Initial Brief and Designation of Matter of Appellant as filed.

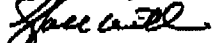
On September 30, 2014, this Court issued an Order granting the Respondent's Motion to Strike the Brief of Appellant and allowed ten days for the Appellant to file an Amended Initial Brief and Designation of Matter. Through oversight of counsel, the ten day deadline for filing the Amended Initial Brief and Designation was not properly calendared. As a result, the Amended Initial Brief and Designation was not filed within the ten days. This Court issued an Order October 24, 2014 dismissing the appeal for failure to timely file the Amended Initial Brief and Designation of Matter. Having received the Court's Order today, counsel immediately recognized the oversight.

Counsel moves this Court to reinstate the appeal and allow the filing of the Amended Brief and Designation of Matter in this case. This appeal involves substantial

issues which, in the interests of justice, the Appellant should have fully and completely addressed on the merits through the direct appeal process, rather than lost due to the oversight and error of counsel.

Wherefore, counsel moves to reinstate the appeal and have the Amended Brief and Designation of Matter accepted as filed.

Respectfully submitted,


J. Falkner Wilkes (SC Bar #12893)
114 Whitsett Street
Greenville, SC 29601
(864) 282-1292
(864) 271-6035 (facsimile)
For the Appellant

October 27, 2014.

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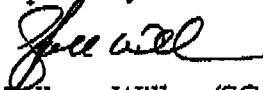
CERTIFICATE

I certify that on October 27, 2014, I served the Appellant's Motion to Reinstate the Appeal and Accept the Amended Initial Brief of the Appellant and Designation of Matter as filed on the Respondent by placing a copy of same in the United States Mail, first class postage prepaid, addressed to counsel of record and others as indicated below:

David A. Spencer, Assist. Atty. General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
and via facsimile: (803) 253-6283

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
and via facsimile: (803) 734-1839

Respectfully submitted,



J. Falkner Wilkes (SC Bar #12893)
114 Whitsett Street
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(864) 282-1292
Counsel for Appellant

October 27, 2014.

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October 27, 2014

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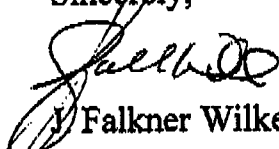
SC Court of Appeals

Dear Ms. Kitchings,

Enclosed please find the Appellant's Motion to Reinstate and Accept the Amended Initial Brief and Designation of Matter, the Amended Initial Brief of the Appellant and Designation of Matter. I have also enclosed a Certificate of Service for same.

It appears that the Order of September 30, 2014 was received but the ten day deadline for me to file an Amended Initial Brief was never calendared. I am now in the rather unenviable position of having to file a motion to reinstate. If I need to do anything further please let me know.

Sincerely,


J Falkner Wilkes

David Spencer, Assistant Attorney General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
via facsimile also to: (803) 253-6283