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STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr. – Circuit Court Judge

APPELLATE CASE NUMBER 2012-212010

Eugene GathersRespondent,

v.

Ned Wright, Hattie Wright Gaston, Annie M. Wright, Edward Wright, Samuel Wright, James Wright, Earline Wright Maxwell, Wilmenia Wright, Henry Wright, Oscar Wright, Leroy Wright Harold Wright, Charles Wright, Samuel Wright, Jr., Ernestine Wright, Henry Wright, Jr., Ernest McKnight,, along with John Doe or Mary Roe, fictitious names to designate minors, infants person of unsound mind, under disability or incompetent. Person in prison, persons in the military service within meaning of Title 50, United States Code, commonly referred to as the Soldiers and Sailors Civil Service Act of 1940, if any, and Richard Roe and Sarah Roe, fictitious names to designate the unknown heirs, devisees, distributees, issue, executors, administrators, successors or assigns of Ned Wright, Hattie Wright Gaston, Annie M. Wright, Edward Wright, Samuel Wright, James Wright, Earline Wright, Wilmenia Wright, Henry Wright, Oscar Wright, Leroy Wright, Harold Wright, Charles Wright, Samuel Wright, Jr., Earnestine Wright, and henry Wright, Jr., also all other unknown person claiming any right, title, estate of lien upon the real estate which is the subject of this action, Defendants,

of whom Ernest McKnight Appellant

MOTION TO REINSTATE

Pursuant to Rule 203(b)(1), SCACR, this action was dismissed on March 6, 2015. The Notice of Appeal states the Order was received on Monday, January 19, 2015. This was a scirvner's error. Appellant's counsel received the Order from Respondent's Attorney, via United States Mail, on Tuesday, January 20, 2015, The Notice of Appeal stated that the Order was received on Monday

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SC Court of Appeals

January 19, 2015, which was a federal holiday and mail was not delivered on that day.

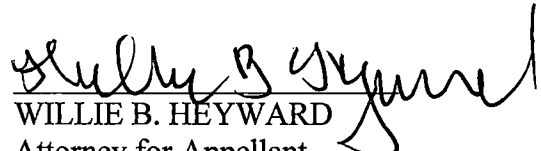
Therefore, the Notice of Appeal was filed within the allocated time pursuant to Rule 203(b)(1), SCACR. Appellant's counsel requests leave of the court to amend the Notice of Appeal to reflect the correct date that the Order was received from counsel for the Respondent.

Appellant's counsel moves that this case be restored to the active docket and that Appellant be given the right to continue with the appeal process. Appellant's counsel also asserts that granting of this Motion will not prejudice any party to this action.

For good cause shown; Appellant's counsel asks that the court allow Appellant the right to amend the Notice of Appeal to reflect the correct date the Order was received from Respondent's counsel and that this case be restored to the court's active docket.

Respectively Submitted

March 25, 2015
Charleston, South Carolina


WILLIE B. HEYWARD
Attorney for Appellant
27 Gamecock Ave., Ste. 200
Charleston, SC 29407
843-225-8754

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of whom Ernest McKnight Appellant

CERTIFICATE OF SERVICE

Willie. B. Heyward, Esq.
Heirs Property Law Center
27 Gamecock Ave., Suite 200
Charleston, SC 29407
Attorney for Appellant

Jonathan S. Altman, Esq.
Derfner, Altman & Wilborn, LLC
P.O. Box 600
Charleston, SC 29402
Attorney for Respondent

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The undersigned hereby certifies that she is the Legal Assistant for Attorney Willie B. Heyward, Heirs Property Law Center, LLC for the above-named Plaintiffs and that she is a person of such age and discretion as to be competent to serve papers.

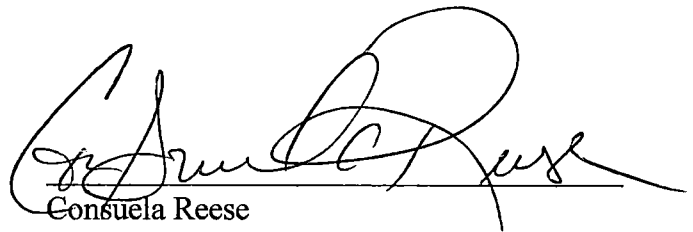
That on March 25, 2015, she served a copy of the following document(s) in the above-entitled case by placing said copy in a post-paid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail in Charleston, South Carolina.

DOCUMENTS:

**MOTION TO REINSTATE
CERTIFICATE OF SERVICE**

ADDRESSEE(s)

Jonathan Scott Altman
Derfner, Altman & Wilborn, LLC
575 King Street, Suite B.
Charleston, SC 29403

A handwritten signature in black ink, appearing to read 'Consuela Reese', written over a horizontal line.

Consuela Reese
Legal Assistant
Heirs Property Law Center

Heirs Property
Law Center, LLC

27 Gamecock Ave., Suite 200
Charleston, SC 29407

March 25, 2015

Court of Appeals
1015 Sumter St.
P. O. Box 11629
Columbia, S.C. 29211

Re: Eugene Gathers vs. Ned Wright et al.
Case No.: 2010-CP-10-250

Dear Sir/Madam:

Enclosed please find an original and one copy of the **MOTION TO REINSTATE, CERTIFICATE OF SERVICE** and request for transcript in the above referenced matter. Also enclosed is the motion filing fee in the amount of \$25.00.

Please file same and return the clocked copy to me in the self-addressed, stamped envelope provided herein.



Consuela Reese
Legal Assist to
Willie B. Heyward
Attorney for Appellant, Ernest McKnight

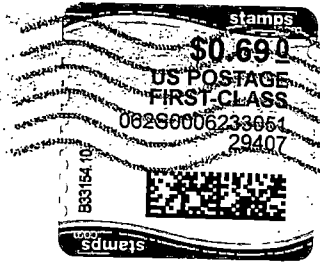
Enclosures

cc: Jonathan S. Altman, Esquire
Derfner, Altman & Wilborn, LLC
PO Box 600
Charleston, SC 29402

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The Heirs Property Law Firm, LLC
27 Gamecock Avenue
Suite 200
Charleston, SC 29407

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