

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

AUG 17 2015

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Appellate Case No. 2014-002545

City of Columbia.....Respondent,

v.

Haiyan Lin.....Appellant,

Respondent's Objection to Appellant's Motion to Reinstate this Appeal

Respondent hereby objects to Appellant's request to reinstate this action for the reasons that follow:

Appellant was convicted in her absence on February 25, 2014 and appealed to Circuit Court. A hearing was held and Appellant failed to appear.

This appeal was originally dismissed by the Circuit Court (case no. 2014-CP-40-1491) on November 4, 2014 for a lack of prosecution. Appellant filed an appeal with this Court on November 24, 2014.

On January 29, 2015 this Court sent Appellant a letter informing her that the Court had not yet received the transcript from her. The Court further informed Appellant that if the Court had not received the transcript within ten (10) days of that letter, the appeal may be dismissed.

On February 23, 2015 this Court sent Appellant a letter in response to her letter dated February 9, 2015 informing her that the Court had yet to receive the transcript from her. This Court informed Appellant that the Court should have received the transcript no later than January 5, 2015. The Court further gave Appellant ten (10) days to have any deficiency corrected or the appeal would be dismissed.

On March 20, 2015 this Court sent Appellant a letter in response to her letter dated March 5, 2015 informing her that the Court had yet to receive the transcript or proof of satisfactory arrangements for payment for the transcript. The Court once again gave Appellant ten (10) days to correct the deficiency or the appeal would be dismissed.

On April 23, 2015 this Court sent Appellant a letter in response to her request for a protection order. The Court informed Appellant that the Court does not typically grant broad protection of the type she requested. The Court went on to inform Appellant that she could file a motion pursuant to Rule 240, SCACR.

On April 24, 2015 this Court filed an Order denying Appellant's motion to recall the remittitur in Appellate Case No. 2013-001862. The Order further consolidated the appeals from circuit court's final orders in 2014-CP-40-1491, 2013-CP-40-1291, 2013-CP-40-1292, 2013-CP-40-1293, and 2013-CP-40-1938. The appeal at issue here contains these consolidated cases.

On May 21, 2015 this Court sent Appellant a letter stating that the Court had still not received a transcript that was supposed to have been delivered no later than January 5, 2015. This Court directed Appellant to advise the Court of the status of the transcript within ten (10) days or the appeal may be dismissed.

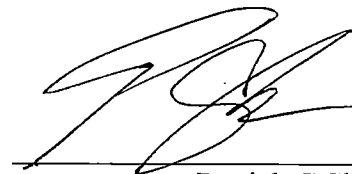
On June 23, 2015 this Court sent Appellant a letter stating that the Court had yet to receive the transcript that was supposed to have been delivered no later than January 5, 2015.

Again this Court gave Appellant ten (10) days to advise the Court of the status of the transcript or the appeal would be dismissed.

On July 22, 2015 this Court issued an Order dismissing the appeal based on Appellant's failure to comply with the Court's letter to Appellant dated June 23, 2015.

Conclusion

This Court has graciously provided Appellant with ample opportunities to comply with the South Carolina Appellate Court Rules and has given the Appellant numerous time extensions prior to dismissing the appeal. The record is clear that Appellant does not appear in court when summoned and does not meet deadlines as provided by this Court. In the nine (9) months that this appeal has been pending, there is no indication that Appellant has procured the transcript as required. Instead, Appellant seeks to confuse the issues with her correspondence and takes no steps to move this case toward resolution. Furthermore, it is not necessary to reinstate the appeal because the case has no merit. Appellant has over sixty (60) outstanding citations of the same kind at issue here on several other properties Appellant owns throughout the City of Columbia. These cases need finality. For the reasons provided, Respondent begs this Court to deny Appellants request to reinstate this action.



Patrick C Sharpe
City of Columbia
PO Box 667
Columbia, SC 29202
803-737-4242
803-737-4250(Fax)
pcsharp@columbiasc.net
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Appellate Case No. 2014-002545

RECEIVED

AUG 17 2015

SC Court of Appeals

City of Columbia.....Respondent,

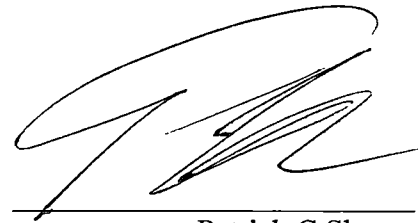
v.

Haiyan Lin.....Appellant,

Certificate of Service

The Respondent certifies that the Appellant has been served Respondent's Objection to Appellant's Motion to Reinstate by US Mail to

Haiyan Lin
PO Box 8776
Columbia, SC 29202



Patrick C Sharpe
City of Columbia
PO Box 667
Columbia, SC 29202
803-737-4242
803-737-4250(Fax)
pcsharp@columbiasc.net
Attorney for Respondent

August 17th, 2015