

The South Carolina Court of Appeals

RECEIVED

The state, Respondent,

SEP 21 2015

V.

SC Court of Appeals

Raymond Edward Chestnut, Appellant,

Appellate case no. 2015-001888

The Honorable John L. Breeden, Jr.
Horry County

Trial court case no. 2004052604448

PETITION TO REINSTATE

The appellant, Raymond Edward Chestnut, in the above captioned matter, do hereby moves this Honorable court respectfully asking that the notice of appeal be reinstated because this court erred by dismissing this case. Appellant will show upon the court the following, proving that he timely served and filed the notice of appeal, as required by Rule 203(b), SCACR, and that the court erred by dismissing case;

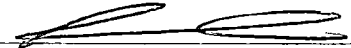
1. Appellant plead guilty on June 6, 2005 and was sentenced by the trial court to 18 months imprisonment.
2. ON June 8, 2005 appellant served a copy of the notice of appeal upon the respondent at P.O. Box 1276, Conway, SC 29528 by via U.S. mail. The notice of appeal was stamp-filed with the trial court (Horry County Clerk) on June 16, 2005. This is clearly evident from the notice of appeal on file with this court.
3. Rule 203(b)(2) of the South Carolina Appellate court Rules (SCACR) Requires that a notice of appeal be served on the respondent within ten (10) days after the sentence is imposed. In this case, as stated above, the notice of appeal was served upon the respondent on June 8, 2005, and filed with the trial court on June 16, 2005. There's no requirement that a notice of appeal be filed with the court of appeals in the first instance. All required is that a notice of appeal

be served upon the respondent within ten (10) days after sentencing. The respondent in this case is the state of South Carolina and was served within the time limitations as required by Rule 203(b)(2), SCACR.

Based on the foregoing, this court should grant this petition to reinstate and reinstate the notice of appeal.

September 17, 2015

Respectfully Submitted,



Raymond Chestnut

13465-171

United States Penitentiary

P.O. Box 1000

Lewisburg, Pa 17837

The South Carolina Court of Appeals

The State, Respondent, RECEIVED

V.

SEP 21 2015

SC Court of Appeals

Raymond Edward Chestnut, Appellant,

Appellate case no. 2015-001888

The Honorable John L. Breeden, JR.
Horry County

Trial court case no. 2004GS260448

CERTIFICATE OF SERVICE

The appellant, do hereby certify that on this 17th day of September, 2015, I served a copy of the 'petition To Reinstate' on the Respondent addressed below by Via U.S. mail with proper postage.

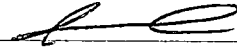
Jimmy A. Richardson, II
15th Judicial Circuit Solicitor
P.O. Box 1276
Conway, SC 29528

Alan Wilson, Esquire

South Carolina Attorney General

P.O. Box 11549

Columbia, SC 29211

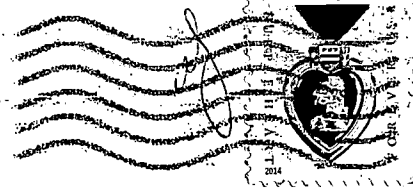


Raymond Chestnut

Raymond Chestnut, #13465-171
United States Penitentiary
P.O. Box 1000
Lewisburg, Pa 17837

HARRISBURG PA 171

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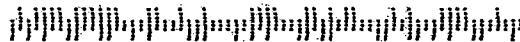


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SEP 21 2015
SC Court of Appeals

Jenny A. Kitchings, clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

29211 11629 09



Legal mail

U.S. PENITENTIARY
P.O. BOX 1000
LEWISBURG, PA 17837

SEP 18 2015

DATE _____

THE ENCLOSED LETTER WAS PROCESSED THROUGH
SPECIAL MAILING PROCEDURES FOR FORWARDING TO
YOU. THE LETTER HAS BEEN NEITHER OPENED NOR
INSPECTED. IF THE WRITER RAISES A QUESTION OR
PROBLEM OVER WHICH THE FACILITY HAS JURIS-
DICTION, YOU MAY WISH TO RETURN THE MATERIAL
FOR FURTHER INFORMATION OR CLARIFICATION. IF
THE WRITER ENCLOSES CORRESPONDENCE
FORWARDING TO ANOTHER ADDRESS, PLEASE RETURN
THE ENCLOSURE TO THE ABOVE ADDRESS.